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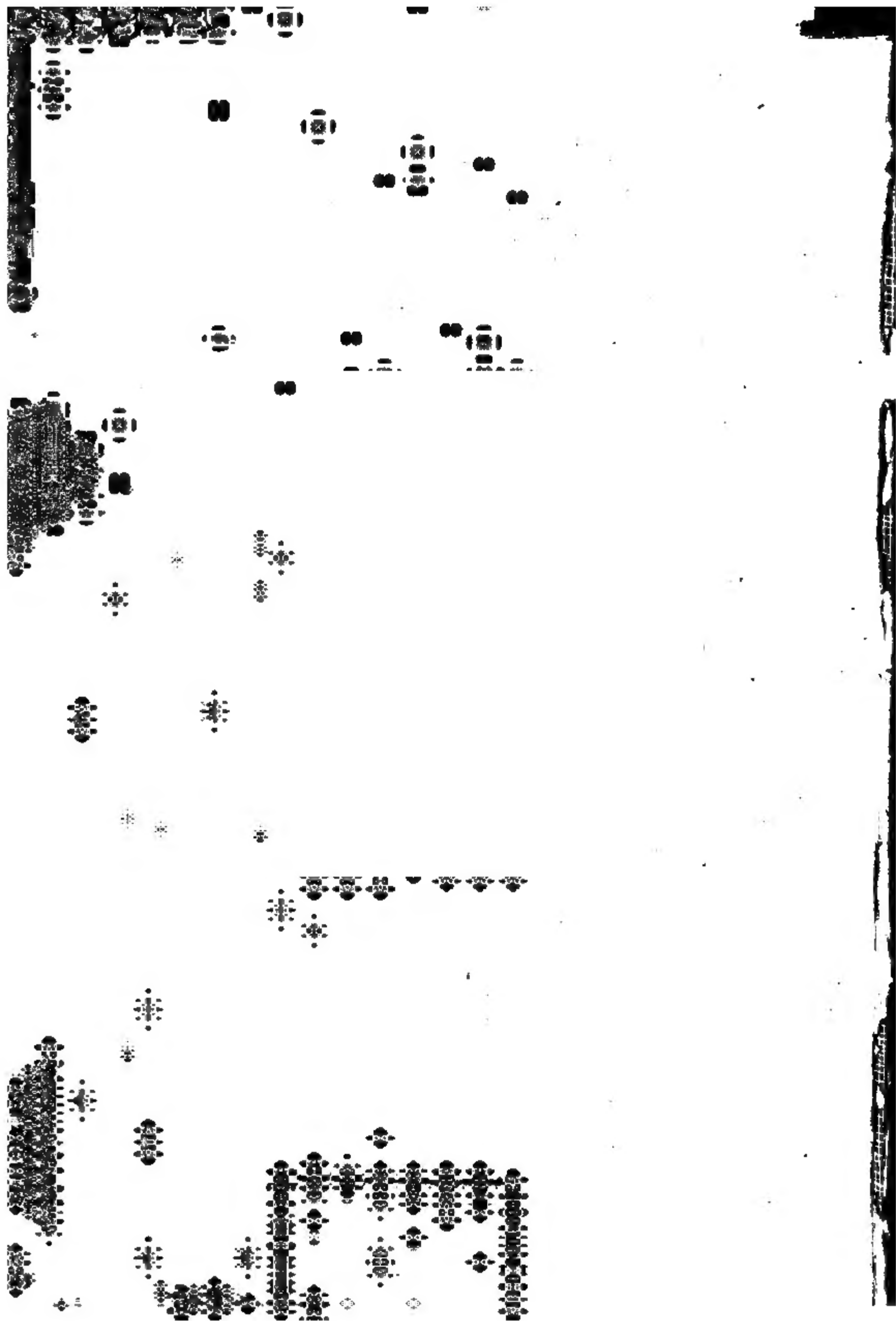
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MAJORITY.

THE SENATE

ASSEMBLY

OF THE STATE OF OREGON

IN THE REGULAR SESSION.

PRINTED.

## OFFICERS OF THE SENATE.

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*President*—Hon. Joseph Simon----Portland, Multnomah county  
*Chief clerk*—Walter Sinclair-----Coquille City, Coos county  
*Ass't chief clerk*—A. W. Severance--Tillamook, Tillamook county  
*Calendar clerk*—J. M. Stott-----Portland, Multnomah county  
*Reading clerk*—J. B. Huntington-----Burns, Harney county  
*Sergeant-at-arms*—C. B. Crosno-----Toledo, Lincoln county  
*Doorkeeper*—J. D. Irvine-----Brownsville, Linn county  
*Mailing clerk*—S. H. Arneson-----Sandy, Multnomah county  
*Page*—T. M. Dunn-----Portland, Multnomah county  
*Page*—N. Kelloway-----Salem, Marion county

## MEMBERS OF THE SENATE.

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### ELECTED IN 1892.

*Columbia, Washington, and Tillamook*—J. W. Maxwell.  
*Coos, Curry, and Josephine*—W. S. Vanderburg.  
*Crook, Klamath, and Lake*—C. A. Cogswell.  
*Douglas*—Henry Beckley.  
*Gilliam, Sherman, and Wasco*—W. W. Steiwer.  
*Lane*—B. F. Alley.  
*Multnomah*—F. A. Bancroft, O. N. Denny, H. E. McGinn, C. H. Woodard.  
*Polk*—N. L. Butler.  
*Sherman and Wasco*—J. A. Smith.  
*Umatilla and Union*—J. H. Raley.  
*Union and Wallowa*—D. A. McAlister.  
*Washington*—S. B. Huston.

### ELECTED IN 1894.

*Baker and Malheur*—Will R. King.  
*Benton and Lincoln*—Tolbert Carter.  
*Clackamas*—Geo. C. Brownell.  
*Clackamas and Marion*—Alonzo Gesner.  
*Clatsop*—John H. Smith.  
*Grant, Harney, and Morrow*—A. W. Gowan.  
*Jackson*—S. H. Holt.  
*Lane*—J. H. McClung.  
*Linn*—S. A. Dawson, A. J. Johnson.  
*Marion*—W. H. Hobson, I. L. Patterson.  
*Multnomah*—Joseph Simon.  
*Umatilla*—A. R. Price.  
*Yamhill*—J. F. Calbreath.



## SENATE STANDING COMMITTEES.

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- Agriculture and forestry*—Carter, Alley, and Denny.  
*Assessment and taxation*—Woodard, Hobson, McGinn, Price, and Butler.  
*Claims*—Hobson, Carter, and Vanderburg.  
*Commerce and navigation*—Alley, Hobson, and Smith of Clatsop.  
*Counties*—Maxwell, Woodard, Gesner, Johnson, and Smith of Sherman.  
*Education*—McClung, Steiwer, and Dawson.  
*Elections and privileges*—Bancroft, Patterson, and McAlister.  
*Engrossed bills*—McGinn, Maxwell, and Raley.  
*Enrolled bills*—Calbreath, McClung, and Holt.  
*Federal relations*—Hobson, Brownell, and Holt.  
*Fishing industries*—Patterson, Bancroft, and Cogswell.  
*Horticulture*—Maxwell, McClung, and King.  
*Insurance and banking*—Johnson, McGinn, and King.  
*Irrigation*—Denny, Steiwer, and Price.  
*Judiciary*—Denny, Brownell, Gowan, Huston, and Cogswell.  
*Medicine, pharmacy, and dentistry*—Calbreath, Woodard, and Brownell.  
*Military affairs*—Gowan, Gesner, and Beckley.  
*Mining*—Johnson, Patterson, and Vanderburg.  
*Municipal corporations*—Price, Calbreath, and McAlister.  
*Penal institutions*—Woodard, Patterson, and Johnson.  
*Printing*—Alley, Bancroft, and Raley.  
*Public buildings and institutions*—Gesner, Steiwer, and Beckley.  
*Public lands*—Steiwer, Gesner, Gowan, Huston, and Price.  
*Railroads*—Brownell, Gowan, Maxwell, Raley, and Cogswell.  
*Revision of laws*—McGinn, Carter, Alley, Smith of Clatsop, and Butler.  
*Roads and highways*—Dawson, Carter, Denny, Price, and Smith of Sherman.  
*Rules and joint rules*—Cogswell, Simon, and Steiwer.  
*Ways and means*—Patterson, Bancroft, Calbreath, Dawson, and Raley.

# SENATE JOURNAL.

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SENATE CHAMBER,  
SALEM, Oregon,  
January 14, 1895. }

This being the day designated by law for the convening of the eighteenth biennial session of the legislative assembly of the state of Oregon, the senate was called to order by the Hon. O. N. Denny, senator from Multnomah county, who placed in nomination for president *pro tem.* the Hon. W. W. Steiwer of Gilliam county.

Hon. J. H. Raley placed in nomination the Hon. S. B. Huston of Washington county.

Hon. Will R. King placed in nomination Hon. S. H. Holt of Jackson county.

A ballot was thereupon taken, and Hon. W. W. Steiwer received seventeen votes.

Hon. S. B. Huston received nine votes.

Hon. S. H. Holt received three votes.

Hon. W. W. Steiwer, having received a majority of all the votes cast, was declared duly elected as president of the senate *pro tem.*, and he thereupon took the chair.

The next thing in order being the election of officers *pro tem.* of the senate, Senator Denny nominated Mr. Walter Sinclair for chief clerk *pro tem.*

There being no other nominations, Mr. Walter Sinclair was elected chief clerk *pro tem.* by acclamation.

Senator Denny then nominated Mr. A. W. Severance for assistant chief clerk *pro tem.*

There being no further nominations, Mr. A. W. Severance, was elected assistant clerk *pro tem.* by acclamation.

Senator Denny then nominated Mr. J. M. Stott for calendar clerk *pro tem.*

There being no other nominations, Mr. J. M. Stott was elected calendar clerk *pro tem.* by acclamation.

Senator Denny then nominated Mr. J. B. Huntington for reading clerk *pro tem.*

There being no other nominations, Mr. J. B. Huntington was elected reading clerk *pro tem.* by acclamation.

Senator Denny then nominated Mr. C. B. Crosno for sergeant-at-arms *pro tem.*

There being no further nominations, Mr. C. B. Crosno was elected sergeant-at-arms *pro tem.* by acclamation.

Senator Denny then nominated Mr. J. D. Irvine for doorkeeper *pro tem.*

There being no other nominations, Mr. J. D. Irvine was elected doorkeeper *pro tem.* by acclamation.

Senator Denny then nominated Mr. S. H. Arneson for mailing clerk *pro tem.*

There being no other nominations, Mr. Arneson was elected mailing clerk *pro tem.* by acclamation.

On motion of Senator Denny, the president *pro tem.* was instructed to appoint a committee of five on credentials.

The president *pro tem.* appointed as the committee on credentials Senators Gowan of Harney, Dawson of Linn, Johnson of Linn, Smith of Sherman, and Huston of Washington.

On motion of Senator Bancroft of Multnomah, the senate adjourned until 2 o'clock p. m.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 14, 1895. }

The senate was called to order at 2 o'clock p. m. by the president *pro tem.*

On motion of Senator Gowan, the courtesies of the senate were extended to Hon. Henry Blackman, and he was invited to a seat within the bar.

The committee on credentials then submitted the following report:—

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 14, 1895. }

*Mr. President:*

We, your committee on credentials, find by the records of the regular session of 1893, that the following persons are entitled to seats in this body, to wit:—

B. F. Alley, Lane county.

F. A. Bancroft, O. N. Denny, Henry E. McGinn, and C. H. Woodard, Multnomah county.

Henry Beckley, Douglas county.

N. L. Butler, Polk county.

C. A. Cogswell, Crook, Lake, and Klamath counties.

S. B. Huston, Washington county.

J. W. Maxwell, Washington, Columbia, and Tillamook counties.

D. A. McAlister, Union and Wallowa counties.

J. H. Raley, Umatilla and Union counties.

J. A. Smith, Wasco and Sherman counties.

W. W. Steiwer, Wasco, Sherman, and Gilliam counties.

W. S. Vanderburg, Coos, Curry, and Josephine counties.

We further find from certificates presented that the following persons were elected in 1894, and are entitled to seats in this body, to-wit:—

Geo. C. Brownell, Clackamas county.

J. F. Calbreath, Yamhill county.

Tolbert Carter, Benton and Lincoln counties.

S. A. Dawson and A. J. Johnson, Linn county.

Alonzo Gesner, Marion and Clackamas counties.

A. W. Gowan, Morrow, Grant, and Harney counties.

W. H. Hobson and I. L. Patterson, Marion county.

S. H. Holt, Jackson county.

Will R. King, Baker and Malheur counties.

J. H. McClung, Lane county.

A. R. Price, Umatilla county.

Joseph Simon, Multnomah county.

John H. Smith, Clatsop county.

Respectfully submitted.

A. W. GOWAN,  
Chairman.

On motion of Senator Gowan, the report was adopted.

On motion of Senator Simon, the chief justice of the supreme court of the state of Oregon was requested to administer the oath of office to the newly elected members of the senate.

On motion of Senator Gowan, a committee of three, consisting of Senators Gowan, Patterson, and Raley, were appointed by the president to wait upon the chief justice and ascertain his pleasure. The committee retired, and soon thereafter appeared, accompanied by the Hon. R. S. Bean, chief justice of the supreme court of the state of Oregon, who administered the oath of office to the members-elect, and a copy of said oath was by each member duly subscribed.

Senator McGinn introduced senate resolution No. 1.

## SENATE RESOLUTION NO. 1.

*Resolved*, That the senate now proceed to effect a permanent organization by electing,—

*First*—A president of the senate.

*Second*—A chief clerk.

*Third*—An assistant clerk.

*Fourth*—A calendar clerk.

*Fifth*—A reading clerk.

*Sixth*—A sergeant-at-arms.

*Seventh*—A doorkeeper.

*Eighth*—A mailing clerk.

On motion of Senator McGinn, the resolution was adopted.

The first order of business being the election of president of the senate, Senator Denny placed in nomination the name of the Hon. Joseph Simon of Multnomah county.

Senator Raley placed in nomination Hon. S. B. Huston of Washington county.

Senator King placed in nomination Hon. W. S. Vanderburg of Coos county.

There being no further nominations, the roll was called.

Those voting for the Hon. Joseph Simon were: Senators Alley, Bancroft, Brownell, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, and Woodard—18.

Those voting for Senator Huston were: Senators Beckley, Butler, Cogswell, McAlister, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—8.

Those voting for Senator Vanderburg were: Senators Holt, Huston, and King—3.

Senator Simon voted blank.

Hon. Joseph Simon, having received a majority of all the votes cast, was declared duly elected president of the eighteenth biennial session of the senate of the state of Oregon.

Senator Brownell moved that a committee of two be appointed to conduct the president-elect to the chair.

The motion prevailed.

The chair appointed as such committee Senators Brownell and Cogswell, and the committee duly conducted the president-elect to the chair.

Hon. R. S. Bean, chief justice of the supreme court, appeared within the bar of the senate and administered the oath of office to the president-elect, who duly subscribed his name thereto.

The election of chief clerk being the next order of business, Senator Denny placed in nomination the name of Mr. Walter Sinclair of Coos county.

There being no further nominations, the roll was called.



Those voting for Mr. Sinclair were: Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

Mr. Sinclair, having received a majority of all the votes cast, was declared elected.

The next order of business being the election of assistant chief clerk, Senator Denny placed in nomination Mr. A. W. Severance of Tillamook county.

There being no further nominations, the roll was called.

Those voting for Mr. Severance were: Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—22.

Mr. Severance, having received all the votes cast, was declared duly elected assistant chief clerk.

The next in order being the election of calendar clerk, Senator Denny placed in nomination the name of Mr. J. M. Stott of Multnomah county.

There being no further nominations, the roll was called.

Those voting for Mr. Stott were: Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Mr. Stott, having received a majority of all the votes cast, was declared duly elected calendar clerk.

The next in order being the election of reading clerk, Senator Denny placed in nomination the name of Mr. J. B. Huntington of Harney county.

There being no further nominations, the roll was called.

Those voting for Mr. Huntington were: Senators Alley, Bancroft, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Mr. Huntington, having received a majority of all the votes cast, was declared duly elected reading clerk.

The next in order being the election of sergeant-at-arms, Senator Denny placed in nomination the name of Mr. C. B. Crosno of Lincoln county.

There being no further nominations, the roll was called.

Those voting for Mr. Crosno were: Senators Alley, Bancroft,

Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

Mr. Crosno, having received a majority of all the votes cast, was declared duly elected sergeant-at-arms.

The next in order being the election of doorkeeper, Senator Denny placed in nomination the name of Mr. J. D. Irvine of Linn county.

There being no further nominations, the roll was called.

Those voting for Mr. Irvine were: Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—20.

Mr. Irvine, having received a majority of all the votes cast, was declared duly elected doorkeeper.

The next in order being the election of mailing clerk, Senator Denny placed in nomination the name of Mr. S. H. Arneson of Multnomah county.

There being no further nominations, the roll was called.

Those voting for Mr. Arneson were: Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Mr. Arneson, having received a majority of all the votes cast, was declared duly elected mailing clerk.

On motion of Senator McGinn, the president was instructed to appoint two pages.

The motion prevailed.

The president thereupon appointed Mr. Thomas Morris Dunn of Multnomah county, and Mr. Newman Kelloway of Marion county.

Hon. R. S. Bean, chief justice of the supreme court, appearing within the bar of the senate, administered the oath of office to the officers-elect, who each duly subscribed his name thereto.

Senator Cogswell introduced senate resolution No. 2.

#### SENATE RESOLUTION NO. 2.

*Resolved*, That, until changed, the rules of the last regular session be adopted as the rules of this session, and that a committee be appointed to revise said rules. That such committee consist of the presiding officer of the senate, who shall be chairman, and two members to be appointed by him.

*TUESDAY, JANUARY 15, 1895.*

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On motion of Senator Cogswell, the resolution was adopted.  
Senator McClung introduced senate resolution No. 3.

**SENATE RESOLUTION NO. 3.**

*Resolved*, That the Secretary of State be requested to furnish each member of the senate with a copy of the second edition of Hill's annotated code of Oregon and the senate and house journals, and session laws of the last session of the legislative assembly of this state.

On motion of Senator McClung, the resolution was adopted.  
Senator McGinn introduced senate resolution No. 4.

**SENATE RESOLUTION NO. 4.**

*Resolved*, That the clergy of the state be invited by the president to open the morning session of the senate with prayer.

On motion of Senator McGinn, the resolution was adopted.

The president appointed Senators Cogswell and Steiwer under senate resolution No. 2.

On motion of Senator McGinn, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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*TUESDAY, JANUARY 15, 1895.*

**MORNING SESSION.**

SENATE CHAMBER,  
SALEM, Oregon,  
January 15, 1895. }

The senate was called to order by the president, pursuant to adjournment, at 10 o'clock a. m.

The roll of the senate was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

The journal of yesterday's proceedings was read and approved.  
Senator Gesner introduced senate concurrent resolution No. 1.

**SENATE CONCURRENT RESOLUTION NO. 1.**

*Resolved by the Senate, the House concurring*, That a committee of two on the part of the senate and three on the part of house be

appointed to inform his excellency, the governor, that both houses are now organized and ready to receive any communication he has to make.

On motion of Senator Gesner, the resolution was adopted.

Senator Dawson introduced senate concurrent resolution No. 2.

#### SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring,* That the senate and house meet in joint convention in the hall of the house of representatives, Wednesday, January 16, 1895, at 10:30 o'clock a. m., for the purpose of canvassing the vote for governor, and to hear such communication as the governor may desire to make and the inaugural address of the governor-elect.

On motion of Senator Dawson, the resolution was adopted.

Senator Alley introduced senate concurrent resolution No. 3.

#### SENATE CONCURRENT RESOLUTION NO. 3.

*Resolved by the Senate, the House concurring,* That a committee of five be appointed, consisting of two senators and three from the house, to investigate the building and management of the Oregon soldiers' home at Roseburg; that said committee be empowered to send for persons and papers, and to employ the necessary clerical assistance.

On motion of Senator Alley, the resolution was adopted.

Senator Denny introduced senate concurrent resolution No. 4.

#### SENATE CONCURRENT RESOLUTION NO. 4.

*Resolved by the Senate, the House concurring,* That a joint committee of two on the part of the senate and three on the part of the house be appointed to examine the books and accounts of the secretary of state, and that the committee be authorized to appoint sufficient clerical aid for that purpose.

On motion of Senator Denny, the resolution was adopted.

Senator Brownell introduced senate resolution No. 5.

#### SENATE RESOLUTION NO. 5.

*Resolved by the Senate,* That the sergent-at-arms be authorized to appoint an assistant doorkeeper to assist him in the performance of his duties.

Senator Brownell moved the adoption of senate resolution No. 5.

Senators Johnson and Steiwer called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gowan, Hobson, Maxwell, McGinn, Patterson, Price, Raley, Woodard, and Mr. President—17.

Nays—Senators Beckley, Carter, Gesner, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—13.

So the resolution was adopted.

Senator Maxwell introduced senate concurrent resolution No. 5.

#### SENATE CONCURRENT RESOLUTION NO. 5.

*Resolved by the Senate, the House concurring,* That a committee, consisting of two on the part of the senate and three on the part of the house, be appointed to examine the books and accounts of the board of commissioners for the sale of school and university lands, with power to employ the necessary clerical aid.

Senator Maxwell moved the adoption of the resolution.

Senator Steiwer moved to amend as follows:—

#### AMENDMENT.

*Provided,* the per diem of the clerical assistance employed by said committee shall not exceed five dollars per day.

The amendment was adopted.

The resolution as amended was adopted.

Senator Simon, chairman of the select committee appointed under senate resolution No. 2, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 15, 1895. }

*Mr. President:*

Your committee on revision of the rules of the senate, under senate resolution No. 2, beg leave to report the following amendments:—

#### AMENDMENT.

That rule 4 be amended so as to read as follows:

Rule 4. Twenty-six standing committees, consisting of three members each, except the committee on judiciary, ways and means, public lands, roads and highways, railroads, assessment and taxation, revision of the laws and counties, which shall con-



sist of five members, to be appointed by the president at the commencement of the session, viz.:—

- A committee on agriculture and forestry.
- A committee on assessment and taxation.
- A committee on claims.
- A committee on commerce and navigation.
- A committee on counties.
- A committee on education.
- A committee on elections and privileges.
- A committee on engrossed bills.
- A committee on enrolled bills.
- A committee on federal relations.
- A committee on fishing industries.
- A committee on horticulture.
- A committee on insurance and banking.
- A committee on irrigation.
- A committee on judiciary.
- A committee on revision of the laws.
- A committee on medicine, pharmacy, and dentistry.
- A committee on military affairs.
- A committee on penal institutions.
- A committee on mining.
- A committee on municipal corporations.
- A committee on printing.
- A committee on public buildings and institutions.
- A committee on public lands.
- A committee on railroads.
- A committee on roads and highways.
- A committee on ways and means.

All special committees shall be appointed by the president, unless otherwise directed by the senate.

#### AMENDMENT.

That rule 36 be amended to read as follows:—

1. Petitions, memorials, remonstrances, and resolutions.
2. Reports from standing committees, in their regular order.
3. Reports from select committees.
4. Propositions and motions.
5. Introduction and reading of bills.
6. Second reading of bills, etc.
7. Engrossed bills read a third time.
8. Bills, reports, and other business lying on the table.
9. First reading of house bills.
10. Second reading of house bills.
11. Third reading of house bills.

12. Other business of the house.
  13. Other business of the senate.
  14. Orders of the day.
- Respectfully submitted.

JOSEPH SIMON,  
Chairman.

On motion of Senator Cogswell, the report was adopted.  
Senator Johnson introduced senate concurrent resolution No. 6.

SENATE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That a committee of two on the part of the senate and three on the part of the house, be appointed to examine the affairs of the penitentiary, with authority to employ such clerical aid as is required in said undertaking.

On motion of Senator Johnson, the resolution was adopted.  
Senator McClung introduced senate concurrent resolution No. 7.

SENATE CONCURRENT RESOLUTION NO. 7.

*Resolved by the Senate, the House concurring,* That a committee of two on the part of the senate and three on the part of the house, be appointed to examine into the management of the insane asylum, with authority to send for persons and papers, and to employ clerical assistance.

On motion of Senator McClung, the resolution was adopted.  
Senator Cogswell introduced senate concurrent resolution No. 8.

SENATE CONCURRENT RESOLUTION NO. 8.

*Resolved by the Senate, the House concurring,* That the following rules be adopted as the joint rules of the house and senate for the eighteenth regular session:—

JOINT RULES.

BILLS AND JOINT RESOLUTIONS.

Rule 1. While bills or joint resolutions are on their passage between the two houses, they shall be on paper, under the signatures of their clerks, respectively.

Rule 2. After a bill or joint resolution shall have passed both houses it shall be duly enrolled on paper, and the clerk of the house where it originated shall endorse on the back thereof the

house in which it originated, under which he shall place his signature.

Rule 3. Every bill or joint resolution, after being enrolled, shall be examined by the joint committee on enrolled bills, consisting of at least two members from each house, who shall compare the same with the engrossed bills and correct any errors they may discover, so as to make it agree therewith, and make their reports forthwith to their respective houses.

Rule 4. And the president of the senate and the speaker of the house of representatives shall, before signing any bill or joint resolutions, notify their respective houses that they are about to do so, and every bill and joint resolution reported to have been duly enrolled shall be first signed by the speaker of the house of representatives, who shall send the same to the senate, then signed by the president of the senate.

Rule 5. All bills and joint resolutions shall be signed by the speaker of the house of representatives and the president of the senate in their houses, respectively, when in session, which shall be carefully noted on the journals of each house.

Rule 6. When any paper or papers proposed to be acted upon by both houses shall come before either, the house before which such paper or papers are laid shall, after acting thereupon, lay it or them before the other house.

Rule 7. In case of disagreement of the two houses, after passing the usual formalities, each house shall appoint, at the request of the other, two members to act as a committee of conference, which committee shall meet and endeavor to compromise the matter in dispute and report to each house their proceedings thereon.

Rule 8. In all cases where the sergeant-at-arms of either house, by reason of official engagements or other causes, be unable to execute the commands or process of the house in which he is an officer, it shall be the duty of the sergeant-at-arms of the other house to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

Rule 9. When a message is sent to the house of representatives or senate, it shall be announced at the door by the sergeant-at-arms or doorkeeper, and shall be respectfully communicated to the chair by the person by whom sent.

Rule 10. Messages shall be sent by such officers of the senate or speaker of the house of representatives as may be designated for that purpose.

Rule 11. No bill which shall have passed one house shall be sent for concurrence to the other on either of the last two days of the session.

Rule 12. The president of the senate and speaker of the house of representatives shall cause the clerk of each house to number the bills and resolutions originating in their respective houses.

Rule 13. All messages from one house to the other, and all resolutions or memorials accompanying, which require action on the part of the house receiving the same, shall be read immediately after their reception, unless a member has the floor, or a bill, resolution, or other document is being read, and in such case as soon as the member shall yield the floor, or reading of such document is completed. In case of reading of resolutions, the presiding officer of the house receiving the same for concurrence shall announce: You have heard the reading of the resolution; what is the pleasure of the house, or senate, as the case may be.

On motion of Senator Cogswell, the resolution was adopted.

A committee from the house appeared within the bar of the senate and announced that the house was organized and ready for business.

On motion of Senator Maxwell, the courtesies of the senate were extended to ex-Senator Dodson, and he was invited to a seat within the bar.

On motion of Senator Woodard, the courtesies of the senate were extended to ex-Senator Jefferson Myers, and he was invited to a seat within the bar.

Senator Cogswell introduced senate concurrent resolution No. 9.

#### SENATE CONCURRENT RESOLUTION NO. 9.

*Resolved by the Senate, the House concurring,* That the senate standing committee on printing and the house standing committee on printing be and are hereby constituted a joint committee to investigate the manner in which the printing for the state has been done during the past two years; and the said joint committee are hereby empowered to employ two experts, both to be practical printers, and additional clerical aid, if required, to assist in such examination, and the said joint committee shall report to this legislature the amount of printing done for the departments of the state during the past two years, and make such recommendations as to the public printing as they may deem of advantage to the state.

On motion of Senator Cogswell, the resolution was adopted.

Senate bill No. 1. Senator McGinn. A bill for an act to create the office of county auditor for the county of Multnomah, in the state of Oregon; to regulate and fix the compensation of the district attorney of the fourth judicial district of the state of Oregon; to fix the compensation of justices of the peace and of constables for the city of Portland, in Multnomah county; to fix the com-

pensation of the county assessor, and to provide a fund for the payment of the salary and compensation of said officers.

Senator McGinn moved that the rules be suspended and that senate bill No. 1 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended, and senate bill No. 1 was read first time by title only and passed to second reading.

On motion of Senator Cogswell, the courtesies of the senate were extended to ex-Senator Hatch, and he was invited to a seat within the bar.

Senator Alley introduced senate concurrent resolution No. 10.

#### SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the Senate, the House concurring,* That a committee of five be appointed, consisting of two from the senate and three representatives, to examine the books and accounts of the military board, and the adjutant-general of the Oregon national guard, for the biennial term ended December 31, 1894, with authority to employ suitable clerical aid therefor.

On motion of Senator Alley, the resolution was adopted.

Senate bill No. 2. Senator Johnson. A bill for an act to repeal sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to provide for the employment of convicts in the state penitentiary, to appropriate money for the purchase of machinery for the manufacture of jute fabrics, to create a board of prison directors employed to carry out the provisions of this act, and to repeal sections 3862, 3863, 3864, 3865, 3866, 3867, 3868, and 3869 of title I of chapter LXV of the miscellaneous laws, as compiled and annotated by W. Lair Hill, and filed in the office of the secretary of state February 20, 1893," and to transfer all funds in connection therewith to the general fund.

Senator Johnson moved that the rules be suspended and that senate bill No. 2 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price,



Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and McGinn—2.

So the rules were suspended and senate bill No. 2 was read first time by title only and passed to second reading.

The following communication from his excellency, Governor Sylvester Pennoyer, was received and read:—

#### COMMUNICATION.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
January 14, 1895. }

*To the Honorable the Senate of the State of Oregon:*

I respectfully request the confirmation of the following appointments:

Members of the board of regents of the State Agricultural College of the state of Oregon: J. M. Osborne, appointed on July 11, 1894, to fill the vacancy caused by the death of J. M. Applewhite; John Emmitt, appointed December 17, 1894, to succeed himself; Bernard Daly, appointed December 17, 1894, to succeed himself; W. A. Sample, appointed December 17, 1894, to succeed himself.

Members of the board of regents of the state university: Joshua J. Walton, appointed March 28, 1893, to fill the vacancy caused by the death of M. P. Deady; R. S. Bean, appointed December 17, 1894, to succeed himself; S. H. Friendly, appointed December 17, 1894, to succeed A. Bush.

Members of the board of regents of the state normal school at Monmouth, Oregon: A. Noltner, appointed June 19, 1893, to succeed himself; Benjamin Schofield, appointed June 19, 1893, to succeed himself.

SYLVESTER PENNOYER,  
Governor.

On motion of Senator Denny, the communication was laid on the table.

Senate bill No. 3. Senator Bancroft. A bill for an act to amend sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to provide for the issuance of bonds for the improvement of streets and laying of sewers in incorporated cities, and for the payment of the cost of such improvement and laying of such sewers by installment."

Senator Bancroft moved that the rules be suspended and that senate bill No. 3 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Beckley—1.

So the rules were suspended and senate bill No. 3 was read first time by title only and passed to second reading.

Senate bill No. 4. Senator Maxwell. A bill for an act to amend an act redistricting the state into senatorial and representative districts and fixing the number of senators and representatives in the legislative assembly, approved February 17, 1887.

Senate bill No. 4 was read first time and passed to second reading without question.

Senate bill No. 5. Senator Cogswell. A bill for an act providing for the record of conditional sales and leases of personal property.

Senate bill No. 5 was read first time and passed to second reading without question.

Senate bill No. 6. Senator Dawson. A bill for an act to repeal an act entitled "An act to provide a state board of equalization, to prescribe the manner of its creation, and its powers and duties," filed in the office of the secretary of state February 21, 1891.

Senate bill No. 6 was read first time and passed to second reading without question.

Senate bill No. 7. Senator Steiwer. A bill for an act to prevent the title to streets and other public property of cities and towns, and also county roads, being lost by the statute of limitations.

Senate bill No. 7 was read first time and passed to second reading without question.

Senate bill No. 8. Senator McClung. A bill for an act to authorize mayors of municipal corporations to bid in property sold for taxes and assessments.

Senator McClung moved that the rules be suspended and that senate bill No. 8 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn,

Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 8 was read first time by title only and passed to second reading.

Senate bill No. 9. Senator Woodard. A bill for an act to amend an act entitled "An act to regulate the practice of medicine and surgery in the state of Oregon," filed in the office of the secretary of state February 28, 1889.

Senator Woodard moved that the rules be suspended and that senate bill No. 9 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 9 was read first time by title only and passed to second reading.

Senate bill No. 10. Senator Carter. A bill for an act to define the terms "land" and "real property," for the purpose of taxation, and to provide when the same shall be assessed and taxed, and to declare what instruments whereby land and real property is made security for the payment of a debt shall be void, and to provide for the manner of assessment and taxation of real property mortgage, and to provide the manner of collecting and enforcing the tax levied and assessed against real property mortgages, and to deduct the amount of such mortgage as indebtedness.

Senate bill No. 10 was read first time and passed to second reading without question.

Senate bill No. 11. Senator Patterson. A bill for an act to amend "An act to amend sections 3564, 3567, 3568, and 3580 of chapter L of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill," approved February 25, 1889, relating to insurance companies.

Senator Patterson moved that the rules be suspended and senate bill No. 11 be read first time by title only.

On this question the roll was called, and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Denny—2.

So the rules were suspended and senate bill No. 11 was read first time by title only and passed to second reading.

Senate bill No. 12. Senator Calbreath. A bill for an act to create the office and define the duties of state horticultural inspector; to appropriate money for the expenses thereof, and to prevent the gift, sale, distribution, planting or transportation of infested trees, plants, cuttings, grafts, buds, cions, fruit, or other material, prescribing penalties therefor.

Senator Calbreath moved that the rules be suspended and senate bill No. 12 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Denny—2.

So the rules were suspended and senate bill No. 12 was read first time by title only and passed to second reading.

On motion of Senator Steiwer the courtesies of the senate were extended to ex-Senator Ed Hirsch, and he was invited to a seat within the bar.

Senate bill No. 13. Senator Alley. A bill for an act entitled an act to amend section 1733 of chapter II, title II, criminal code of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 13 was read first time and passed to second reading without question.

Senate bill No. 14. Senator Johnson. A bill for an act to exempt county roads and public highways from assessment and taxation.

Senate bill No. 14 was read first time and passed to second reading without question.

Senate bill No. 15. Senator Bancroft. A bill for an act to amend an act entitled "An act to authorize the cities of Portland, East Portland, and Albina, to construct bridges or acquire, by condemnation or other means, one or more bridges across the Willamette river, between the cities of Portland and East Portland, Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic except railway and street railways."

Senator Bancroft moved that the rules be suspended and that senate bill No. 15 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Patterson—1.

So the rules were suspended and senate bill No. 15 was read first time by title only and passed to second reading.

Senate bill No. 16. Senator Dawson. A bill for an act to provide for the deduction of indebtedness from assessment.

Senate bill No. 16 was read first time and passed to second reading without question.

Senate bill No. 17. Senator King. A bill for an act to amend section 2798 of Hill's code, relating to payment of taxes in lawful money of the United States.

Senate bill No. 17 was read first time and passed to second reading without question.

Senate bill No. 18. Senator Maxwell. A bill for an act to provide for the protection and preservation of salmon and other food fishes in the waters of Tillamook bay and its tributaries, and to appropriate money therefor.

Senator Maxwell moved that the rules be suspended and that senate bill No. 18 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 18 was read first time by title only and passed to second reading.

Senate bill No. 19. Senator McGinn. A bill for an act to provide for the examination of banks and banking corporations and for the appointment of bank examiner, and to prescribe method of creating banking corporations.

Senator McGinn moved that the rules be suspended and that senate bill No. 19 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn,

Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 19 was read first time by title only and passed to second reading.

Senate bill No. 20. Senator Patterson. A bill for an act to amend section 2354, chapter XI, title I, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 20 was read first time and passed to second reading without question.

Senator Cogswell introduced senate resolution No. 6.

#### SENATE RESOLUTION NO. 6.

*Resolved*, That the Secretary of State be and he is hereby directed to supply the sergeant-at-arms of this senate with three (\$3) dollars' worth of postage stamps, and one dollar's worth of wrappers for each senator and officer, and upon receipt of the same the sergeant-at-arms is directed to distribute the same.

#### AMENDMENT.

Senator Bancroft moved to amend by striking out the word "three" in third line and inserting the word "six."

The motion prevailed.

Senator Cogswell moved the adoption of the resolution as amended. The motion prevailed.

Senate bill No. 21. Senator Johnson. A bill for an act to amend section 2820 of the laws of Oregon.

Senator Johnson moved that the rules be suspended and that senate bill No 21 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 21 was read first time by title only and passed to second reading.

On motion of Senator Denny, the courtesies of the senate were extended to ex-Senator L. T. Barin, and he was invited to a seat within the bar.

On motion of Senator McGinn, the courtesies of the senate were extended to Hon. George P. Frank, mayor of Portland, and he was invited to a seat within the bar.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 15, 1895.

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 1, and appointed Messrs. Paxton of Multnomah, Wright of Union, and Baker of Lane, as the house committee.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 22. Senator Holt. A bill for an act to amend an act entitled "An act to amend section 914 of title V of chapter XI of Hill's annotated laws of Oregon, filed in the office of the secretary of state February 20, 1891.

Senator Holt moved that the rules be suspended and that senate bill No. 22 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Gesner and Huston—2.

So the rules were suspended and senate bill No. 22 was read first time by title only and passed to second reading.

Senate bill No. 23. Senator Cogswell. A bill for an act to provide for the transfer and satisfaction of mortgages upon real property and the recording thereof.

Senator Cogswell moved that the rules be suspended and that senate bill No. 23 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Gesner and Huston—2.



So the rules were suspended and senate bill No. 23 was read first time by title only and passed to second reading.

Senate bill No. 24. Senator Johnson. A bill for an act to amend section 303 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Johnson moved that the rules be suspended and that senate bill No. 24 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Gesner, Huston, and Raley—3.

So the rules were suspended and senate bill No. 24 was read first time by title only and passed to second reading.

The president appointed the following committee under senate concurrent resolution No. 1, viz., Senators Gesner and Huston.

On motion of Senator Maxwell, the senate adjourned until 2 o'clock p. m. today.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 15, 1895. }

Senate called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

On motion of Senator Steiwer, the usual courtesies of the senate were extended to ex-Senator Hilton, and he was invited to a seat within the bar.

The president announced the standing committees as follows:

#### STANDING COMMITTEES.

*Agriculture and forestry*—Carter, Alley, and Denny.

*Assessment and taxation*—Woodard, Hobson, McGinn, Price, and Butler.

*Claims*—Hobson, Carter, and Vanderburg.

*Commerce and navigation*—Alley, Hobson, and Smith of Clatsop.

*Municipal corporations*—Price, Calbreath, McAlister.



*Counties*—Maxwell, Woodard, Gesner, Johnson, and Smith of Sherman.

*Education*—McClung, Steiwer, and Dawson.

*Privileges and elections*—Bancroft, Patterson, and McAlister.

*Engrossed bills*—McGinn, Maxwell, and Raley.

*Enrolled bills*—Calbreath, McClung, and Holt.

*Federal relations*—Hobson, Brownell, and Holt.

*Fishing industries*—Patterson, Bancroft, and Cogswell.

*Judiciary*—Denny, Brownell, Gowan, Huston, and Cogswell.

*Military affairs*—Gowan, Gesner, and Beckley.

*Mining*—Johnson, Patterson, and Vanderburg.

*Revision of laws*—McGinn, Carter, Alley, Smith of Clatsop, and Butler.

*Insurance and banking*—Johnson, McGinn, and King.

*Medicine, pharmacy, and dentistry*—Calbreath, Woodard, and Brownell.

*Horticulture*—Maxwell, McClung, and King.

*Printing*—Alley, Bancroft, and Raley.

*Public buildings*—Gesner, Steiwer, and Beckley.

*Public lands*—Steiwer, Gesner, Gowan, Huston, and Price.

*Railroads*—Brownell, Gowan, Maxwell, Raley, and Cogswell.

*Roads and highways*—Dawson, Carter, Denny, Price, and Smith of Sherman.

*Ways and means*—Patterson, Bancroft, Calbreath, Dawson, and Raley.

*Irrigation*—Denny, Steiwer, and Price.

*Penal institutions*—Woodard, Patterson, and Johnson.

Senator Bancroft introduced senate resolution No. 7.

#### SENATE RESOLUTION NO. 7.

*Resolved*, That the sergeant-at-arms be authorized and instructed to furnish three daily newspapers to each senator, and see that the same be deposited on the respective desks of the senators each day during the session.

Senator Bancroft moved the adoption of the resolution.

#### AMENDMENT.

Senator Cogswell moved to amend by making it read "six" instead of "three."

Amendment adopted.

The resolution as amended was adopted.

Senate bill No. 25. Senator McAlister. A bill for an act providing for the election of prosecuting attorneys, their duties, method of compensation, and repealing chapter VII, Hill's code.

Senator McAlister moved that the rules be suspended and that senate bill No. 25 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Dawson, Gesner, McGinn, and Patterson—4.

So the rules were suspended and senate bill No. 25 was read first time by title only and passed to second reading.

Senate bill No. 26. Senator Price. A bill for an act to amend section 1145 (1113) of title VI of chapter XV, relating to executors and administrators.

Senator Price moved that the rules be suspended and that senate bill No. 26 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Dawson, Denny, Gesner, McGinn, Steiwer, and Vanderburg—7.

So the rules were suspended and senate bill No. 26 was read first time by title only and passed to second reading.

Senate bill No. 27. Senator Butler. A bill for an act to authorize attorneys at law to take acknowledgment of deeds and administer oaths.

Senate bill No. 27 was read first time and passed to second reading without question.

Senate bill No. 28. Senator Cogswell. A bill for an act to amend section 3, code of criminal procedure, relating to definition of crime.

Senate bill No. 28 was read first time and passed to second reading without question.

Senate bill No. 29. Senator McClung. A bill for an act to amend section 4141 of title V, chapter LXXVI, Hill's code.

Senator McClung moved that the rules be suspended and that senate bill No. 29 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,

Carter, Cogswell, Dawson, Denny, Gowan, Holt, Huston, King, Maxwell, McAlister, McClung, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Gesner, Hobson, Johnson, McGinn, Patterson, and Price—6.

So the rules were suspended and senate bill No. 29 was read first time by title only and passed to second reading.

On motion of Senator Bancroft, the courtesies of the senate were extended to Hon. Donald McKay, and he was invited to a seat within the bar.

Senate bill No. 30. Senator Price. A bill for an act to amend section 2826 of title VI of chapter XVII of Hill's code, relating to the collection and return of taxes.

Senate bill No. 30 was read first time and passed to second reading without question.

Senator Woodard introduced senate joint memorial No. 1.

#### SENATE JOINT MEMORIAL NO. 1.

*To the Congress of the United States:*

Whereas, by an act of the legislative assembly of the state of Oregon, filed in the office of the secretary of state, February 16, 1891, a corporation known as the "Port of Portland" was created, embracing within its limits certain portions of Multnomah county; and, whereas, the object of the creation of said corporation was to improve the Willamette river at the cities of Portland, East Portland, and Albina (now consolidated and embraced within the city of Portland, Multnomah county, Oregon,) and the Willamette and Columbia rivers between said cities and the sea, so that there should be made and permanently maintained in said Willamette and Columbia rivers, from said city to the sea, a ship channel of good and sufficient depth at all points at mean low water; and, whereas, said act incorporating said port of Portland provides for the issuance of five hundred thousand dollars in bonds or notes for a certain term of years, said bonds to bear interest at the rate of five per centum per annum, payable semi-annually, all in United States gold coin; and, whereas, said act gives said corporation the authority to assess and collect taxes on all property within its boundaries which is by law taxable for state and county purposes at a certain specified rate sufficient to pay the interest on said bonds and to provide a sinking fund for the redemption of the same; and, whereas, the said corporation so created was organized, and commissioners appointed to exercise the powers conferred upon it; and, whereas, since the creation and organization of said port of Portland, the said corporation has

realized three hundred and ten thousand dollars from the sale of the bonds authorized by said act, which said money has been expended in the improvement of the said Willamette and Columbia rivers under the supervision of the officers of the United States government, and which said sum the said port of Portland commission is now obligated to pay; and, whereas, thirty-seven thousand seven hundred and twenty-nine dollars and seventy-seven cents has been paid by said port of Portland in interest on said bonds; and, whereas, the said sum, to wit, three hundred and ten thousand dollars, has been expended in the improvement of said rivers by dredging and constructing permanent dykes beyond the limits of the said district embraced within the limits of said corporation; and, whereas, the remaining portion of said money has been expended in the necessary improvement of said rivers and the harbors thereof; and, whereas, the money so expended by said corporation inures to the benefit of the state of Oregon and the country at large, and the improvements accomplished thereby are of a nature generally and properly undertaken by the general government; therefore,

*Be it resolved by the legislative assembly of the state of Oregon,* That congress be requested to reimburse the port of Portland in the full sum or the amount expended by said port of Portland in making the improvements aforesaid, and in paying interest on the bonds heretofore issued for such purpose, and that provision be made by the general government for the payment of the interest yet to accrue on said bonds now outstanding.

*Be it further resolved,* That the government of the United States assume full charge of the work heretofore completed and now being performed by said port of Portland, and provide for the maintenance of the same.

Senate joint memorial No. 1 was adopted and ordered printed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 3, providing that a committee of three on the part of the house and two on part of the senate be appointed to examine the books and accounts of the board of commissioners for the sale of school and university land, with power to employ the necessary clerical aid.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Maxwell, house concurrent resolution No. 3 was laid on the table.

Senate bill No. 31. Senator Cogswell. A bill for an act to amend section 159, title XV, chapter I, code of civil procedure, relating to discharge of attachments.

Senate bill No. 31 was read first time and passed to second reading without question.

Senate bill No. 32. Senator King. A bill for an act to repeal an act to create and establish a board of railroad commissioners, and define and regulate its duties, etc.

Senate bill No. 32 was read first time and passed to second reading without question.

On motion of Senator Bancroft, the courtesies of the senate were extended to Hon. J. C. Carson, and he was invited to a seat within the bar of the senate.

Senate bill No. 33. Senator Cogswell. A bill for an act to amend section 135, title XV, chapter I, code of civil procedure, relating to attachments.

Senate bill No. 33 was read first time and passed to second reading without question.

Senate bill No. 34. Senator Steiwer. A bill for an act to amend section 3619 of Hill's annotated laws of Oregon.

Senate bill No. 34 was read first time and passed to second reading without question.

Senate bill No. 35. Senator McClung. A bill for an act compelling railways to connect with intersecting roads, pay back charges, etc.

Senator McClung moved that the rules be suspended and that Senate bill No. 35 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Gesner, Johnson, McGinn, and Patterson—5.

So the rules were suspended and senate bill No. 35 was read first time by title only and passed to second reading.

On motion of Senator Brownell, the courtesies of the senate were extended to Hon. D. P. Thompson, and he was invited to a seat within the bar.

Senate bill No. 36. Senator Dawson. A bill for an act to

amend section 2794 of the general laws of the state of Oregon, as compiled by W. Lair Hill.

Senate bill No. 36 was read first time and passed to second reading without question.

Senate bill No. 37. Senator Smith of Clatsop. A bill for an act to authorize the city of Astoria to construct, purchase, or acquire a bridge across Youngs bay, etc.

Senator Smith of Clatsop moved that the rules be suspended and that senate bill No. 37 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators, Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Bancroft, Denny, and McGinn—3.

So the rules were suspended and senate bill No. 37 was read first time by title only and passed to second reading.

Senate bill No. 38. Senator Maxwell. A bill for an act to fix the times for holding the terms of the circuit court in Tillamook county.

Senate bill No. 38 was read first time and passed to second reading without question.

Senate bill No. 39. Senator Raley. A bill for an act to establish grain inspection and to provide inspectors and clerks, and providing for their salaries, etc.

Senator Raley moved that the rules be suspended and that senate bill No. 39 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Dawson, and Denny—3.

So the rules were suspended and senate bill No. 39 was read first time by title only and passed to second reading.

Senate bill No. 40. Senator McGinn. A bill for an act to amend an act changing compensation of county clerks and sheriffs, approved February 22, 1893.

Senator McGinn moved that the rules be suspended and that senate bill No. 40 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent or not voting—Senators Calbreath, Carter, Cogswell, Denny, and Huston—5.

So the rules were suspended and senate bill No. 40 was read first time by title only and passed to second reading.

The committee on the part of the senate, under senate concurrent resolution No. 1, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 15, 1895. }

*Mr. President:*

We, your committee appointed under senate concurrent resolution No. 1 (one), would respectfully beg leave to report that in conjunction with the members of the house, appointed under said resolution, we waited upon his excellency, Governor Pennoyer, and informed him that the legislature was duly organized and ready to receive any communication from him which he should see fit to communicate. We were informed by his excellency that he had a message to deliver to the legislature, and that he would read the same to the legislature in joint convention on Wednesday, the 16th instant, immediately after the vote for governor was canvassed by the legislature.

Respectfully submitted.

ALONZO GESNER,  
S. B. HUSTON.

On motion of Senator Cogswell, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.



WEDNESDAY, JANUARY 16, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 16, 1895. }

The senate was called to order by the president, pursuant to adjournment, at 10 o'clock a. m.

The roll of the senate was called, and all the senators were present except Senators Gowan and McClung.

The morning session of the senate was opened with prayer by the Rev. Mr. Grannis of Salem, Oregon.

On motion of Senator Maxwell, the reading of the journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 2, providing for a joint convention in the hall of the house Wednesday, January 16, 1895, at 10:30 A. M., for the purpose of canvassing the vote for governor, and to hear such communications as the governor may desire to make, and the inaugural address of the governor-elect.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

The following communication was received from the honorable the Secretary of State:

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,  
SALEM, Oregon,  
January 16, 1895. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

GENTLEMEN: I have the honor to acknowledge the receipt of



a copy of senate resolution No. 6, being a requisition for stamps, wrappers, etc., and to say in reply thereto that as there is no appropriation available for purchase of supplies for the legislature, it will be impossible to comply until an appropriation is made for that purpose. The usual supplies can be bought, payment to be made when appropriation is made, but stamps have to be paid for in advance.

Yours, very respectfully,

H. R. KINCAID,  
Secretary of State.

Senate bill No. 41. Senator Woodard. A bill for an act to make appropriation to pay per diem and mileage of the members of this legislature, and other expenses of the session.

Senate bill No. 41 was read first time and passed to second reading without question.

Senator Woodard moved that the rules be suspended and that senate bill No. 41 be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Gowan—1.

So the rules were suspended and senate bill No. 41 was read second time by title and passed to third reading.

Senator Woodard moved that the rules be further suspended and that senate bill No. 41 be read third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Gowan—1.

So the rules were suspended and senate bill No. 41 was read third time and placed upon its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Gowan, Denny, and Cogswell—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house joint resolution No. 1, providing that a committee of five be appointed, three on the part of the house and two on the part of the senate, to frame a memorial to congress urging the United States government to undertake the construction of the Nicaragua canal, and that the committee be instructed to report as soon as possible.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 1.

*Resolved by the House, the Senate concurring,* That a committee consisting of five be appointed, three on the part of the house and two on the part of the senate, to frame a memorial to congress urging the United States government to undertake the construction of the Nicaragua canal, and that the committee be instructed to report as soon as possible.

On motion of Senator Huston, the senate concurred in house joint resolution No. 1.

Senator Johnson introduced senate resolution No. 8.

#### SENATE RESOLUTION NO. 8.

*Resolved,* That a committee of five be appointed to consider and make such recommendations as they see fit regarding the numbers and per diem of the clerks to be allowed the several standing committees of the senate.

Senator Johnson moved the adoption of the resolution.

Senator Bancroft moved that senate resolution No. 8 be referred to the committee on ways and means.

The motion prevailed, and the resolution was so referred.

Senator Maxwell introduced senate concurrent resolution No. 11.

SENATE CONCURRENT RESOLUTION NO. 11.

*Resolved by the Senate, the House concurring,* That a special committee of three from the house and two from the senate be appointed to meet with like committee to be appointed by the legislature of the state of Washington, to look after the fishing industries on the Columbia river and regulate the laws governing the same with uniform laws, and that the clerk be instructed to notify the legislature of the state of Washington of such action.

On motion of Senator Maxwell, the resolution was adopted.

Senate bill No. 42. Senator Bancroft. A bill for an act to prevent the sale of firearms to minors.

Senate bill No. 42 was read first time and passed to second reading without question.

The president called Senator Steiwer to the chair, who presided over the senate.

Senate bill No. 43. Senator Carter. A bill for an act to provide for the inspection of commercial fertilizers, and to regulate the sale thereof.

Senator Carter moved that the rules be suspended and that senate bill No. 43 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Bancroft, Carter, Cogswell, Denny, and King—6.

So the rules were suspended and senate bill No. 43 was read first time by title only and passed to second reading.

Senate bill No. 44. Senator Brownell. A bill for an act to repeal an act entitled "An act to increase the duties of the board of railroad commissioners in respect to the management, operation, and control of railroads, and the transportation of persons and property within the state of Oregon, filed in the office of the secretary of state February 20, 1891; also to repeal an act entitled an act to amend an act entitled an act to create and establish a

board of railroad commissioners, and to define and regulate its powers and define its duties, and to fix the compensation of its members, approved February 18, 1887, and being chapter LXXIII of the general laws of Oregon, as compiled and annotated by W. Lair Hill, filed in the office of the secretary of state February 20, 1889; also to repeal an act entitled an act to create and establish a board of railroad commissioners, and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887.

Senator Brownell moved that the rules be suspended and that senate bill No. 44 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Cogswell and Denny—2.

So the rules were suspended and senate bill No. 44 was read first time by title only and passed to second reading.

Senate bill No. 45. Senator Gowan. A bill for an act entitled "An act creating the ninth judicial district of the state of Oregon and providing for the appointment of a judge and prosecuting attorney thereof, and prescribing the times and places of holding the terms of circuit court of said judicial district."

Senator Gowan moved that the rules be suspended and that senate bill No. 45 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Smith of Clatsop—3.

So the rules were suspended and senate bill No. 45 was read first time by title only and passed to second reading.

Senate bill No. 46. Senator Maxwell. A bill for an act for the relief of Tillamook county, and for the reimbursement of said county for money paid to the state as taxes upon property upon which said county could collect no taxes by reason of erroneous assessments.

Senate bill No. 46 was read first time and passed to second reading without question.

Senate bill No. 47. Senator Dawson. A bill for an act to amend section 2813 of Hill's annotated laws of Oregon.

Senate bill No. 47 was read first time and passed to second reading without question.

Senate bill No. 48. Senator Denny (by request). A bill for an act to define the qualifications of judge and justice of the peace in districts or precincts containing one thousand or more legal voters, and to amend "An act to define the qualifications of supreme and circuit judges and district attorneys of the state of Oregon," filed in the office of the secretary of state February 22, 1893.

Senate bill No. 48 was read first time and passed to second reading without question.

Senate bill No. 49. Senator Smith of Clatsop. A bill for an act to prohibit the catching of salmon or other food fishes by means of fish-wheels.

Senate bill No. 49 was read first time and passed to second reading without question.

Senate bill No. 50. Senator Raley. A bill for an act to amend an act entitled "An act to create a state board of horticulture, and to appropriate money therefor," approved February 25, 1889, and an act amendatory thereof entitled an act to amend an act entitled an act to create a state board of horticulture and appropriate money therefor, approved February 25, 1889, approved February 21, 1891, and to protect the horticultural industry in Oregon.

Senator Raley moved that the rules be suspended and that senate bill No. 50 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Holt—1.

So the rules were suspended and senate bill No. 50 was read first time by title only and passed to second reading.

Senate bill No. 51. Senator Huston. A bill for an act to amend the charter of the city of Hillsboro, in the county of Washington, in the state of Oregon, filed in the office of secretary of state February 20, 1893.

Senator Huston moved that the rules be suspended and that senate bill No. 51 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Baucroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays — None.

Absent — Senator Denny — 1.

So the rules were suspended and senate bill No. 51 was read first time by title only and passed to second reading.

Senate bill No. 52. Senator McClung. A bill for an act requiring banks to make quarterly statements of their financial condition.

Senator McClung moved that the rules be suspended and that senate bill No. 52 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays — None.

Absent — Senator Carter — 1.

So the rules were suspended and senate bill No. 52 was read first time by title only and passed to second reading.

Senate bill No. 53. Senator McGinn. A bill for an act to amend section 8 of an act entitled an act to secure a more convenient mode of making assessments and for collecting and paying taxes, and to amend section 2794 of the general laws of Oregon, as compiled by W. Lair Hill, filed in the office of the secretary of state February 1, 1893.

Senator McGinn moved that the rules be suspended and that senate bill No. 53 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 27.

Nays — None.

Absent — Senators Alley, Gowan, and Raley — 3.

So the rules were suspended and senate bill No. 53 was read first time by title only and passed to second reading.

Mr. President resumed the chair.

Senate bill No. 54. Senator King. A bill for an act to amend section 2467 of title IV of chapter XIII of Hill's annotated laws, compiled by William Liar Hill, relating to the redemption of county orders.

Senate bill No. 54 was read first time and passed to second reading without question.

Senator Denny introduced senate concurrent resolution No. 12.

SENATE CONCURRENT RESOLUTION NO. 12.

Whereas we have received with profound sorrow the announcement of the death of Stephen Fowler Chadwick, formerly governor of this commonwealth; therefore, be it

*Resolved by the Senate of the State of Oregon, the House concurring,* That in the death of ex-Governor Chadwick the state of Oregon has lost one of its eminent and most patriotic citizens. Born and reared in rugged New England fitted him for the part he always took in the pioneer life and progress of the state of his adoption, which he loved so well; his intellectual powers, his breadth of mind and grasp of public affairs made him one of the leaders among his fellow-citizens. Over and above these faculties, his knowledge of public affairs, his wit and power, he was an affectionate, lovable man, esteemed by all who knew him, which causes him to be mourned today not only by his friends, but by many who had no personal acquaintance with him.

*Resolved,* That the citizens of the state of Oregon, in the death of her distinguished son, have lost one whose intercourse was always instructive, helpful and kindly, whose generous impulses found their expression in many benevolent acts; and whose distinguished career and patriotic devotion to his country and state coming men may well strive to emulate.

*Resolved,* That the sympathy and condolence of this legislative assembly be extended to his sorrowing family, whose affliction is so much greater than ours, and whose grief can only be alleviated by Him whose sustaining arm can best support them in their irreparable loss.

*Resolved,* That an engrossed copy of these resolutions be sent to his family and be made a part of the records of this body.

*Resolved,* That when the inaugural exercises are over today, the legislature adjourn out of respect to the deceased.

Senator Denny moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—



Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

The resolution was adopted.

Senate bill No. 55. Senator Maxwell. A bill for an act to protect persons borrowing money, and to prevent the exaction of more than the legal rate of interest for the use of money.

Senate bill No. 55 was read first time and passed to second reading without question.

Senate bill No. 56. Senator McAlister. A bill for an act entitled an act to provide for the improvement of the Wallowa canyon and Wallowa hill wagon road, and to appropriate money therefor.

Senator McAlister moved that the rules be suspended and that senate bill No. 56 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Denny, Raley, King, and Smith of Clatsop—4.

So the rules were suspended and senate bill No. 56 was read first time by title only and passed to second reading.

The hour having arrived for the meeting of the joint convention, the senate repaired to the hall of the house of representatives.

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#### JOINT CONVENTION.

The joint convention was called to order by the president, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate.

Those present were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President.



The chief clerk of the house called the roll of the house.

Those present were —

Messrs. Baker, Barkley, Beach, Blundell, Boothby, Bridges, Buckman, Burke, Burleigh, Calvert, Cardwell, Cleeton, Conn, Coon, Cooper, Craig, Curtis, Daly, David, Davis, Dunn, Gates, Gowdy, Guild, Gurdane, Hillegas, Hofer, Hope, Huffman, Jeffreys, Keyt, Lester, Long, Lyle, McCracken, McGreer, Mintie, Moorhead, Myers, Nealon, Patterson, Paxton, Rinearson, Scott, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Smith of Linn, Stanley, Stewart, Templeton, Thompson, Tigard, Wright, Yates, Young, and Mr. Speaker.

Absent — Messrs. Cole and Smith of Clackamas.

The chief clerk of the senate read senate concurrent resolution No. 2, calling together the senate and house in joint convention at 10 o'clock a. m., January 16, 1895.

The president appointed Senator Denny of Multnomah county and Representative Smith of Josephine county to assist the speaker in canvassing the vote for governor of the state of Oregon.

The speaker of the house thereupon duly opened and canvassed the vote for governor of the state of Oregon cast at the last general election held in this state on June 4, 1894; and in joint convention of both the senate and house of representatives of the legislative assembly of the state of Oregon the speaker declared Hon. William P. Lord duly elected governor of the state of Oregon.

Representative Paxton moved that the chair appoint a committee of three to wait upon his excellency, William P. Lord, the governor-elect, and ascertain his pleasure.

The motion prevailed.

The president appointed Representatives Paxton and Buckman and Senator Alley as such committee.

On motion of Representative Smith of Polk, the president appointed Representatives Smith of Polk and Morehead and Senator Cogswell a committee of three to wait upon his excellency, retiring Governor Sylvester Pennoyer, to ascertain what communications he had to make, if any.

On motion of Representative Smith of Josephine, the president appointed Representatives Smith of Josephine and Blundell and Senators Gowan to wait upon the judges of the supreme court of Oregon and invite them to a seat with the president.

Governor Sylvester Pennoyer, governor-elect William P. Lord, and the judges of the supreme court of the state of Oregon were duly presented by respective committees, and were invited to a seat with the president.

Upon motion of Representative Wright, the courtesies of the

joint convention were extended to ex-Governor Z. F. Moody, and he was invited to a seat with the president.

The president then introduced the retiring governor, Sylvester Pennoyer, who spoke as follows:—

#### GOVERNOR'S MESSAGE.

*Gentlemen of the Oregon Legislative Assembly:*

The following statements concerning the condition of the state are furnished for your consideration. For more detailed information regarding the state institutions and state affairs, you are referred to the reports of the various officers and boards:—

#### STATE EXPENDITURES.

	1889-90.	1891-92.	1893-94.
Governor's office .....	\$ 6,800 00	\$ 8,588 90	\$ 10,891 20
Secretary's office .....	10,450 00	13,364 75	19,107 87
Treasurer's office .....	6,187 50	7,800 00	9,800 00
Superintendent of public instruction .....	6,600 00	8,095 45	9,185 20
Attorney-general .....			6,000 00
State printing .....	36,660 85	50,374 62	81,708 19
Library, code and reports .....	10,644 59	15,443 62	15,195 10
State land office .....	8,209 13	9,201 88	9,004 01
Legislative .....	41,990 63	46,681 87	54,901 01
Judiciary .....	86,462 44	89,093 97	107,100 00
Penitentiary .....	78,347 85	82,409 82	87,124 64
Asylum .....	176,168 91	216,489 65	239,965 46
Penitentiary improvement .....	4,630 21	16,942 90	12,549 38
Asylum improvement .....	109,803 23	83,258 08	91,360 09
Capitol improvement .....	14,087 58	85,163 31	10,362 11
Mute school .....	17,848 90	15,816 42	19,885 46
Mute school improvement .....			32,947 00
Blind school .....	8,742 76	11,355 00	12,883 12
Blind school improvement .....			12,226 25
Orphans' home .....	11,000 00	15,000 00	34,500 00
Agricultural boards .....	19,000 00	19,000 00	30,415 00
Health officers .....	3,993 53	4,090 00	4,327 49
Pilot commission, etc. ....	5,349 98	5,880 55	5,396 78
Food commission .....	3,356 99	3,204 95	3,046 64
Railroad commission .....	19,000 00	19,888 69	19,654 31
Agricultural college .....	64,475 14	46,338 50	44,889 00
State university .....	34,471 47	44,289 15	77,839 00
Conveying convicts .....	14,128 51	22,275 88	23,728 35
Conveying insane .....	20,287 37	21,961 93	29,905 61
Incidental .....	25,150 00	27,995 96	27,277 01
Fugitive .....	5,139 21	6,338 04	8,788 33
Indigent .....	10,000 00	7,626 73	706 51
Private claims .....	2,088 00	11,031 16	4,474 03
Wagon roads .....	116,000 00		
Militia .....	33,823 56	65,556 18	99,043 97
Reform school and improvement .....	46,000 00	40,671 21	122,115 83
Weather bureau .....	1,800 00	1,954 72	929 06
Fish commission .....	6,538 93	6,205 35	4,794 90
Horticultural board .....	7,000 00	7,000 00	7,000 00
Domestic animal commission .....	4,888 00	8,093 60	6,962 86
Miscellaneous .....		22,201 81	13,475 12
Uniform school blanks .....			7,719 55
Astoria boatman .....		1,000 00	1,000 00
"Resources of Oregon" .....		5,659 89	2,678 43
Charities and correction .....		6,806 98	
Portage railroad .....		60,000 00	485 35
Eastern Oregon asylum .....			25,381 05
Jute mill .....			2,466 08
Normal schools .....			51,382 76
World's fair .....			40,585 83
Electric lighting .....			24,647 21

## STATE EXPENDITURES — CONCLUDED.

	1889-90.	1891-92.	1893-94.
Soldiers' home .....	\$ .....	\$ .....	\$ 38,667 89
Fish ladder .....	.....	.....	848 27
Equalization board .....	.....	.....	6,456 20
Soda spring .....	.....	.....	500 00
Siuslaw hatchery .....	.....	.....	1,989 85
Common school, principal .....	.....	.....	2,578 52
Swamp land .....	.....	.....	10,907 93
State foundry .....	.....	.....	64,955 87
Deficiency, 1891-92 .....	.....	.....	117,595 12
	\$ 1,071,128 86	\$ 1,242,227 43	\$ 1,820,278 57

The amount for the last biennial term includes deficiencies on file.

## APPROPRIATIONS AND EXPENDITURES.

Following are the appropriations made by the last legislative assembly and the expenditures thereunder:—

## BIENNIAL TERM.

	Appropriated.	Expended.
Governor .....	\$ 3,000 00	\$ 3,000 00
Governor's secretary .....	8,600 00	3,600 00
Secretary of state .....	3,000 00	3,000 00
Secretary's clerk .....	3,600 00	3,600 00
Treasurer .....	1,600 00	1,600 00
Treasurer's clerk .....	4,000 00	4,000 00
School superintendent .....	3,600 00	3,600 00
Attorney-general .....	6,000 00	6,000 00
Librarian .....	2,000 00	2,000 00
Prison inspector .....	1,000 00	1,000 00
Pilot commissioners .....	1,200 00	1,200 00
Commissioners' clerk .....	1,200 00	1,200 00
Health officers .....	4,400 00	4,327 49
Janitor and assistant .....	3,240 00	3,240 00
School superintendent, traveling expenses .....	1,600 00	1,585 00
Capitol watchman .....	2,400 00	2,400 00
Library expenses .....	500 00	500 00
Deaf-mute school .....	20,000 00	19,885 46
Blind school .....	12,000 00	12,000 00
Blind school improvements .....	1,200 00	1,200 00
School superintendent's clerk .....	3,100 00	3,100 00
Secretary of state, clerks .....	10,360 00	10,106 67
Educational printing .....	7,520 00	7,520 00
State board of agriculture .....	10,000 00	10,000 00
Fair ground improvements .....	11,415 00	11,415 00
State food commissioner .....	3,500 00	3,046 64
Pilot schooner .....	5,000 00	2,995 78
Railroad commission .....	20,000 00	19,654 31
Fish commission .....	8,000 00	4,794 90
Electric lighting public buildings .....	10,000 00	10,000 00
Rewiring capitol .....	2,000 00	2,000 00
Advertising state warrants .....	600 00	495 55
Supreme court reports .....	9,600 00	7,200 00
Portland industrial fair .....	1,000 00	1,000 00
Eastern Oregon fairs .....	6,000 00	6,000 00
Southern Oregon fair .....	3,000 00	3,000 00
State board of horticulture .....	7,000 00	7,000 00
Astoria boatman .....	1,000 00	1,000 00
State animal commission .....	12,000 00	6,962 86
Books, state library .....	5,000 00	4,602 10
Board of equalization .....	8,000 00	6,456 20

## APPROPRIATIONS AND EXPENDITURES—CONTINUED.

	Appropriated.	Expended.
Portland orphans' home .....	\$ 5,000 00	\$ 5,000 00
Salem orphans' home .....	5,000 00	5,000 00
Albany orphans' home .....	5,000 00	5,000 00
Portland refuge home .....	5,000 00	5,000 00
Portland baby home .....	4,000 00	4,000 00
Portland Magdalen home .....	4,000 00	4,000 00
Beaverton home .....	2,000 00	2,000 00
Joseph Emery, fees .....	102 00	102 00
Pioneer association .....	500 00	500 00
Compiling records .....	800 00	375 00
Rewards for arrest .....	1,200 00	900 00
Wiring and lighting insane asylum .....	7,500 00	7,499 65
Asylum improvements .....	32,600 00	32,540 43
Asylum building .....	41,700 00	41,700 00
Fencing asylum land .....	1,800 00	1,181 87
Purchasing asylum land .....	11,000 00	10,602 95
Capitol grounds' improvements .....	6,000 00	4,916 23
Capitol drain .....	8,600 00	
New roof, capitol .....	7,000 00	5,445 88
Heating capitol building .....	5,400 00	4,564 57
Hill's Code for legislature .....	893 00	893 00
"Resources of Oregon" .....	2,678 43	2,678 43
Insane asylum repairs, deficiency .....	25,588 15	25,588 15
Fire protection of capitol, deficiency .....	4,259 30	4,259 30
Water supply, cottage farm .....	524 22	524 22
Deficiency, blind school .....	1,391 00	1,391 00
Deficiency, food commission .....	204 95	204 95
Land for portage road .....	3,811 38	3,801 97
Deficiency, incidental fund .....	3,845 36	3,843 41
Deficiency, school blanks .....	229 62	229 62
Deficiency, representative hall .....	628 70	628 70
Deficiency, conveying convicts .....	6,438 23	6,438 23
Deficiency, conveying insane .....	3,020 92	3,020 92
Deficiency, penitentiary .....	6,556 78	6,556 78
Deficiency, insane asylum .....	6,907 28	6,907 28
Deficiency, legislature, 1891 .....	1,881 87	1,881 87
Deficiency, reform school improvement .....	13,758 59	13,758 59
Penitentiary water ditch .....	1,048 36	1,048 36
Monmouth normal school .....	22,382 76	22,382 76
Printing paper, deficiency .....	4,997 71	4,997 71
Election blanks .....	1,851 29	1,851 29
Printing for agricultural societies, deficiency .....	16,104 95	16,104 95
Attorney-general, deficiency .....	5,151 03	5,151 03
E. M. Croisan, deficiency .....	8 00	8 00
J. J. Dalrymple & Co., deficiency .....	15 68	15 68
Arrest of fugitives .....	1,107 75	1,107 75
Equalization board, 1891-92 .....	8,927 48	8,927 48
E. M. Croisan .....	6 30	6 30
Railroad commission suit .....	1,484 90	974 90
Briefs for such suit .....	262 00	262 00
Wasco county poor .....	490 15	490 15
Stock portage road .....	1,000 00	488 35
D. D. Neer, architect's fees .....	117 15	117 15
G. C. Fulton, attorney's fees .....	600 00	600 00
Rent of pilot commission .....	240 00	240 00
Compiling war records .....	152 00	152 00
Penitentiary improvements .....	52,500 00	12,549 38
Cleaning Mill creek .....	5,000 00	
Land for penitentiary .....	2,500 00	2,500 00
Weather bureau .....	1,000 00	926 06
Portland aid society .....	2,500 00	2,500 00
Portland Patton home .....	2,000 00	2,000 00
Dormitory, State university .....	25,000 00	25,000 00
Reform school .....	36,000 00	36,000 00
Reform school improvements .....	78,000 00	78,000 00
Judicial fund .....	107,100 00	107,100 00
Incidental fund .....	28,000 00	27,277 01
Expenses of asylum .....	275,000 00	239,133 36
Library books .....	5,000 00	497 60
Returning insane .....	800 00	834 50
Printing .....	60,000 00	60,000 00
Conveying insane .....	28,000 00	28,000 00
Conveying convicts .....	23,000 00	23,000 00
Arrest of fugitives .....	10,000 00	
Arrest of fugitives, deficiency .....	1,215 58	8,738 83

APPROPRIATIONS AND EXPENDITURES—CONCLUDED.

	Appropriated.	Expended.
County support of poor .....	\$ 10,000 00	\$ 706 51
Penitentiary fund .....	99,850 00	84,327 84
Clerk, land board .....	3,000 00	3,000 00
Incidentals, land board .....	6,000 00	5,981 51
Attorneys' fees, land board .....	500 00	
Treasurer's clerk, land board .....	3,000 00	3,000 00
F. S. Moore .....	22 50	22 50
Incidentals, university lands .....	300 00	
Incidentals, agricultural lands .....	300 00	
Money refunded, land purchases .....	5,000 00	2,578 52
Repayment, swamp land .....	33,000 00	10,907 93
Purchase of prison foundry .....	65,000 00	64,955 87
Compensation, state board .....	3,000 00	3,000 00
World's fair .....	60,000 00	40,585 53
Legislature .....	55,000 00	54,901 01
National guard .....	100,000 00	99,043 97
Jute mill .....	190,000 00	2,466 08
Fish ladder .....	10,000 00	848 27
State university .....	52,894 00	52,839 00
Agricultural college .....	44,889 00	44,889 00
Weston normal school .....	24,000 00	24,000 00
Soldiers' home .....	39,000 00	29,197 49
Eastern Oregon asylum .....	165,000 00	25,381 05
Siuslaw hatchery .....	2,000 00	1,989 85
Sodaville spring .....	500 00	500 00
Lakeview school .....	5,000 00	5,000 00
Deaf-mute school improvements .....	25,000 00	25,000 00
Canceling light contract .....	10,000 00	5,147 56
	\$ 2,274,036 17	\$ 1,749,222 85

EDUCATIONAL FUND.

The total amount of the common school fund was as follows on January 1st of the years mentioned:—

1885 .....	\$ 868,735 16
1887 .....	1,059,409 01
1889 .....	1,756,700 90
1891 .....	2,203,554 86
1893 .....	2,418,636 71
1895 .....	2,450,521 19

The interest from such fund has been distributed as follows:—

	Per capita.	Total.
1890 .....	\$ 145 00	\$ 144,372 75
1891 .....	145 00	153,151 90
1892 .....	145 00	162,066 50
1893 .....	140 00	168,903 00
1894 .....	87 00	107,693 82

On January 1, 1895, the total amounts of the other trust funds were as follows:—

Agricultural college .....	\$ 129,752 12
State university .....	105,845 80

Interest has been paid during the past two years on such funds:

Agricultural college .....	\$ 16,751 79
State university .....	12,673 61

The amounts loaned from the school funds for the last biennial three terms are as follows:—

1889-90 .....	\$ 911,243 00
1891-92 .....	711,160 00
1893-94 .....	536,239 00

From the above figures it will be seen that the very same cause which is stagnating our general industries and impoverishing our people, is laying its impious hand on the school fund of the state by lessening the values of the securities on which it is based, and diminishing the amount apportioned to the common schools for their support.

#### LAND DEPARTMENT.

Swamp land, patented to the state in 1893-94 .....	1,994.47 acres
Swamp land, certified to the state in 1893-94 .....	2,038.32 acres
Whole amount patented .....	156,873.15 acres
Whole amount certified and not patented .....	90,030.72 acres
Whole amount examined and not certified .....	38,568.68 acres

#### LIEU SCHOOL LANDS.

In the Cascade reservation there are about two hundred thousand acres of land, embraced in sections 16 and 36, for which the state is entitled to that amount of lieu land, which may be selected from the best portions of the public domain. The price of school lands under the law is one dollar and twenty-five cents per acre, and, as these lieu lands are really worth more, I have steadily refused to allow one single acre of school lands in that reservation to be used as a basis for lieu lands until the legislature can change the price of such lands to two dollars and fifty cents per acre. If this change is made, about two hundred and fifty thousand dollars will go into the school fund, which amount, if the law is not changed, will go into the pockets of speculators.

#### PUBLIC IMPROVEMENT.

During my incumbency of office the state of Oregon has most materially lengthened its cords and strengthened its stakes in regard to all of its public institutions. The capitol has been entirely completed and newly roofed, and all of our public institutions are fully equipped for all requirements, not only for the present, but for the immediate future. The asylum now owns one thousand two hundred acres of land, the penitentiary one hundred and sixty-nine acres, the reform school six hundred acres, the deaf-mute school one hundred acres, and the Eastern Oregon asylum six hundred and twenty acres of valuable land. During the last eight years, there have been expended for land and improvements the following amounts:—

Penitentiary improvements .....	\$ 47,615 20
Asylum improvements .....	341,815 10
Capitol improvements .....	147,956 75
Reform school improvements .....	168,816 59
Agricultural college improvements .....	88,709 80
State university improvements .....	25,000 00
Mute school improvements .....	32,497 00
Blind school improvements .....	12,226 25
Eastern Oregon asylum .....	25,881 03
	<hr/>
	\$ 890,017 74

Of this amount, three hundred and four thousand one hundred and sixty-four dollars and thirty-three cents were expended during the last two years. All of the public buildings are first-class, and a levy of eighty thousand dollars has been made, which will be sufficient to start the Eastern Oregon asylum on the cottage plan and furnish additional cells for the penitentiary. All these improvements have been made during these hard times, and the state of Oregon is out of debt, although there is due, on January 1, 1895, and unpaid to the state from the several counties, the sum of two hundred and forty-two thousand five hundred and ninety-seven dollars and eighty-nine cents.

But this is not the full extent of public improvements. During the last eight years, there have been expenditures for wagon roads and a portage road, and the five per cent. and direct tax funds have been distributed among the several counties, so that the total amounts of expenditures on account of public improvements is as follows:—

Public land and buildings .....	\$ 890,017 74
Wagon roads .....	116,000 00
Five per cent. and direct tax funds .....	111,576 76
Portage road .....	63,801 97
	<hr/>
	\$ 1,181,396 47

#### THE STATE FOUNDRY PLANT.

Sixty-five thousand dollars was appropriated by the last legislature for the purchase of the foundry plant at the penitentiary. Forty thousand dollars were paid for it and the balance was put into stock for the business. Close following the purchase came the business depression which affected all industries, and which very naturally depressed the demands for the foundry products. As a result the foundry was run on limited time and with limited profits. The business since the state assumed control up to the first of the year shows a profit of sixteen thousand eight hundred and seventy-two dollars and eighty cents, and allowing forty cents a day for convict labor, it still shows a profit of four thousand and twenty-eight dollars and twenty-four cents, which is a much better exhibit than a very large portion of business firms in Oregon can show which have been doing business outside the penitentiary walls.



## THE PARDONING POWER.

Some criticism has been made in regard to the exercise of the pardoning power and it has even been asserted that such power should not exist. That power is the highest and most necessary prerogative in a civilized government. If courts and juries were infallible there would be no necessity for its exercise, but so long as they are not infallible, so long there is an absolute necessity for the lodgment somewhere of that very necessary power. In the great majority of the cases in which I have exercised executive clemency, aside from those earning time as trustees, it has been upon the recommendation of the judge, jury, or prosecuting attorney. I have endeavored in all cases to exercise that high prerogative conscientiously and without any regard whatever for newspaper cavil or popular clamor.

## FORMER RECOMMENDATIONS.

While I shall not presume to make any recommendations whatever to this legislative assembly, I will, however, mention those recommendations which I have formerly made, and concerning which no legislative action has been taken:

1. A change in the assessment law, compelling, under penalty, all notes not annually given to the assessor and stamped by him, to be one half forfeited to the school fund.

2. The abolition of all the unnecessary commissions.

3. A law establishing maximum rates for railroad and telegraph companies, fixing passenger rates at two and one half cents per mile, and prohibiting the use of free passes.

4. A law allowing municipalities to fix maximum rates on all local monopolies.

5. A law authorizing the governor, in case of violation of state laws, to employ a person to secure evidence and commence prosecution in the courts for the punishment of offenders.

6. A law giving to all state, district, and county officers a fixed salary, or establishing a maximum compensation.

7. A general municipal incorporation law applicable to all cities.

8. A change in the road law so as to secure good roads.

9. A law providing for the arrest and punishment of armed men in private employ.

10. The passage of an inheritance tax law.

12. Authority to the school commissioners to withhold from any county its school fund until the state taxes from said county have been paid to the state treasurer.

13. The creation of a state auditing board consisting of the three principal state officers.



14. No further illegal appropriation of money by joint resolution.

15. A change in the law relating to the conveyance of criminals and insane persons.

16. No state appropriation for the militia, leaving to the several counties the support of their own companies.

17. Enactment of a registration law for cities of five thousand inhabitants and over.

18. Purchase of the Willamette locks, or reduction of toll fifty per cent.

19. No appropriation for state or district fairs, or a just distribution of moneys now appropriated to the several counties.

20. Repeal of the specific contract law, and making void all contracts discriminating against any lawful money.

21. Abolition of all fish traps, wheels, and seines.

22. Fixing the price of school lieu lands at two dollars and fifty cents per acre.

23. No further appropriation for other than common schools.

24. Instructing our delegation in congress to secure a restriction of the jurisdiction of the inferior federal courts to what it was under the judiciary act of 1789, or to confine it exclusively to admiralty and maritime cases; or better still, to abolish those courts entirely.

#### CONCLUSION.

Grateful to the people for their bestowed confidence, thankful to all my associates for their uniform courtesies, and wishing for the incoming administration abundant success, I now relinquish, with a conscience void of offense, the great trust assigned me, sincerely imploring the blessing of Almighty God upon our beloved commonwealth.

The Hon. R. S. Bean, chief justice of the supreme court of the state of Oregon, duly administered the oath of office to the Hon. Wm. P. Lord, who subscribed his name thereto.

Thereupon, the president introduced Governor Wm. P. Lord, who spoke as follows:—

#### INAUGURAL ADDRESS.

*Gentlemen of the Senate and House of Representatives:*

Trusting for guidance and wisdom from Him who doeth all things well, I appear before you, in assuming the duties of the office of governor of this state, to which I have been chosen by the suffrages of the people, with a profound sense of my obliga-

tions and responsibilities, to make such suggestions and recommendations in reference to the affairs of the state as seem to be appropriate and expedient. The duty devolved upon the governor by the constitution, to communicate to the legislature the condition of the state and to recommend such measures to it as he may deem expedient, would seem more properly to belong to the retiring governor, whose official experience during his term enables him to acquire a special knowledge of the various institutions of the state and the measures deemed essential to promote its progress and prosperity, which particularly qualify him for the performance of such duty, than to the incoming governor, who, just called from another occupation which has absorbed his time and attention, could hardly be expected to possess the kind of knowledge which would qualify him to enter into a consideration in detail of the various matters of state, or to recommend measures of special significance for the development of its interests and the wants of its people. But, be that as it may, I trust it may not be inappropriate for me to avail myself of this occasion to extend to the retiring governor, who brought probity and ability to his office, our thanks for many acts of public merit and our best wishes for his personal happiness and prosperity; and, also, on my own behalf, to express to the people of the state, through you, their chosen representatives, my grateful appreciation of the distinguished honor conferred upon me, and my earnest hope to perform the duties devolving upon me with fidelity to their interests and with credit to the state, to the end that they may have no cause to regret the generous confidence reposed in me.

#### RESOURCES OF THE STATE.

I greet you, gentlemen of the legislature, at the beginning of the new year, although the skies are not bright with promise, with an abiding faith in the future of Oregon. Our state is endowed with great resources and natural advantages, the development of which, under industrial influences, will insure its growth and enrichment. Its soil is fertile, and its fields yield generous harvests; its ranges are excellent feeding grounds for the raising of stock; its mines, though only partially developed and utilized, are rich in mineral wealth; its forests are studded with an almost inexhaustible supply of timber; its waterways are extensive, and afford unequaled advantages for commerce; its harbors are safe and commodious; its water powers are unlimited in capacity and extent, offering unrivaled facilities for manufacturing enterprises; its climate is healthful, and its plains and mountain ranges combine beauty and grandeur of scenery. Here within our own borders are all the material elements and advantages

that attract men of enterprise and capital to make investments in commercial and business activities and to establish manufacturing and mechanical industries, which, in the progress of time, will give employment to many laboring people, build up towns and cities, increase our wealth and population, and lay deep and strong the foundations of our general prosperity. Already considerable capital has been invested in our state, devoted to the enlargement of some of our existing institutions, and to the creation of new enterprises and business ventures. Many railroad lines have been constructed within our territory that have afforded an outlet for our products and opened up additional avenues for trade and commerce. In the mean time the growth of our cities and towns has been steady and rapid, the value of property has greatly increased, and improvements of a public and private character have marked our advancement. All around us there are tangible evidences of the industrial activity of our people and the growth and development of our state, and with national legislation not unfavorable to us, the future of Oregon is full of promise of a rich inheritance to its inhabitants.

#### CAUSES OF DEPRESSION.

But, unfortunately, some national legislation at first threatened, and some since enacted, has had the effect to cripple the industries of the country, cause depression in the value of property and its products, disturb business relations, stagnate trade and commerce, create distrust and uncertainty in our monetary affairs and a deficit in the national treasury, abridge the demand for labor and render its employment unremunerative, by reason whereof, the country is plunged into a profound financial and commercial depression, which grievously burdens our people and serves to retard the general progress and development of the state. This is a condition of things from which the country can expect no permanent relief until wiser councils shall prevail in the management of our national affairs and induce legislation calculated to protect the industrial interests of our people, and, at the same time, by its offer of reciprocal advantages, retain and foster trade with foreign nations.

#### NECESSITY FOR ECONOMY.

Under these circumstances, when the opportunities for business and labor are contracted and scarce; when the farmer, though his harvest be abundant, finds no profit in his crop; when hard times are upon us, rendering it especially difficult for the laboring masses to make comfortable provision for their fam-

ilies; when all classes engaged in trade or business are husbanding their resources and practicing a rigorous economy to avoid loss and preserve their commercial standing, it behooves you, upon whom rests the authority to levy taxes and direct the expenditures of the public moneys, to make no appropriation of them except it be for a public purpose and its necessity be clearly shown, and to withhold all appropriations which will bear delay, or can be postponed, in order that the burdens of the people may not be unnecessarily increased and their property be subjected to a tax lien to defray needless public expenditures. It is not only desirable that economy should characterize all your appropriations, but at the present time it is absolutely indispensable to the public welfare. No good citizen will find fault with a public expenditure which is essential to the public service, but all will feel aggrieved, and have a right to complain, when the expenditure authorized is unnecessary or extravagant. The people have a right to require that public business should be conducted on the same principles of economy that characterize prudent men in the management of their private affairs. The reason as well as the necessity for the practice of economy is the same in one case as in the other. Extravagance, whether public or private, is a demoralizing influence which impoverishes states and bankrupts individuals. No officer, whatever may be his position, has a right to be generous at the public expense. Any disbursement or appropriation of the revenues, the necessity for which is not shown to be essential for the public good, is a flagrant injustice. Retrenchment is the mandate of the people, and the chief plank in the platform upon which you were elected. The day is come, and the hour is at hand, when your promise to reduce public expenses, wherever it can be effected without detriment to the public good, must be fulfilled. Your word is pledged for it, and good faith requires that it should be kept.

#### ABUSES SHOULD BE CORRECTED.

Abuses, if any have grown up, must be unmasked and extirpated, root and branch. No department of state, nor any of its institutions, is too sacred for you to invade with the view of ascertaining its condition, its needs, its practices, whether good or bad. How are you to know where to cut off unnecessary expense, or to withhold a needless appropriation, or to reduce to a minimum a needed one, or to destroy a hidden emolument, or to abolish a useless office, or whether abuses exist, without making yourselves acquainted with the true condition of the state and its institutions? It is true that much of the knowledge of public affairs with which you will be charged or presumed to be aware

must come through committees to whom is confided the business of investigating and reporting, often with such recommendations as they deem proper, upon the condition and needs of the various institutions of the state. This involves the assumption that the members of the committee will be selected with reference to their fitness and ability to perform the work to which they are assigned, and that such work, whatever it may be, will be thoroughly and not perfunctorily performed. I trust that this assumption may hold good, in fact, for I sincerely hope that no perfunctory report will come from any committee of this legislature. There will, also, be submitted for your information the reports of the different officers having charge of the public departments and institutions of the state. I bespeak for them a fair and candid hearing, believing that these officers are animated by the best motives for the public good. I earnestly hope that you will carefully examine their reports with a view of giving deliberate consideration to the suggestions contained therein, keeping in mind, at the same time, the interests and the needs of the people.

I make these suggestions, gentlemen, to impress you with the necessity of using all the means of information in your possession to qualify yourselves for the intelligent performance of your duty, and to enable you to provide such legislation as will secure needed reforms, reduce the public expenditures, and put at a minimum all needed appropriations of the public revenue. It is in your power to accomplish these objects. The duty and responsibility of legislation rests immediately upon you. To you is committed the sole authority of making laws for the protection of the life, liberty, and property of the citizen, for the levy and collection of taxes and directing the expenditures of the public revenue for the general welfare, the education of our youth, and the care of the unfortunate, and for the support of our institutions of learning, of charity, and of reform and punishment. To a great extent, the honor and welfare of the state and the prosperity and happiness of the people depend upon your action. You cannot escape accountability for the manner in which you discharge your high trust. You are here by the will of the people and owe them a conscientious performance of duty according to your best ability. They will scrutinize and review and pass upon your official acts. Do not disappoint their expectations of relief from unnecessary taxation. Make a resolute effort to reduce the burden of taxation to the lowest possible limit consistent with a wise and economical administration of the public business.

## ASSESSMENT AND TAXATION.

Assuming, then, that your efforts will be directed to the accomplishment of this end, it is equally important and necessary, after the amount of money to be raised by taxation for the support of the state, economically administered, is ascertained, that our law regulating the levy and collection of taxes should distribute its burdens ratably so as to insure uniformity of contribution. There is wide complaint against the inequality and insufficiency of our tax laws. If these defects exist, they should be speedily remedied, for equality is the essence of the right to take the citizen's property for the support of government. Our constitution makes it the duty of the legislature to "provide by law for uniform and equal rate of assessment and taxation." To secure uniformity and equality it is absolutely essential that taxation be based on some rule of apportionment that operates impartially and rests on fixed principles of justice. No doubt it is impossible to obtain absolute equality, but it is indispensable that some rule be adopted that approximates to that end. Without it, tax laws are partial and inequitable, producing inequality and flagrant injustice. It is, therefore, of the utmost importance, so far as human laws can devise, to equalize the burdens of taxation. This is the leading principle that should be kept steadily in view when tax laws are the subject of legislative consideration. One of the causes of inequality is the insufficiency of the law to secure the assessment for taxation of all classes of property. Where one class of property is taxed and another to any large extent allowed to escape, the burdens of government are not equally shared. The fundamental idea is that all property, movable and immovable, visible and invisible, should be assessed, to the end that they may bear their fair and just proportions of the tax necessary to be raised for the support of the government. Our constitution contemplates that both classes of property, real and personal, shall be assessed equally and according to their just valuation. It is thought that real estate—the lands and homes of our people—contributes more than its just proportion of the taxes. The reason assigned is that some classes of personal property escape taxation through the insufficiency of our tax laws. It is believed that if our laws were competent to exact a truthful assessment of the value of personal property it would largely increase the amount of our taxable property, and render less burdensome the ownership of houses and lands. A law which so operates is partial and inequitable. The farms and homes of our people should not bear more than their just proportion of public burdens.



We must all deplore a condition of things which permits a citizen paying a tax upon his home or farm to point to some neighbor, owning vastly more in personal goods and capital, who pays a much less amount of tax. It is idle to urge the difficulty of assessing some classes of property without making your law inquisitive. In the nature of all things, all laws for the raising of revenue are more or less inquisitorial, but not necessarily to the extent of violating the principle of good neighborhood. Nor will laws devised to exact a truthful statement of a citizen's taxable property be so considered by those who recognize the duty they owe the government for its protection to their persons and property to bear their fair and just proportion of the public burdens; and as to those who, refusing to recognize such duty, shirk their portion of such burdens, and create the necessity for such laws, they constitute a class who have no claims upon your sympathy or consideration. The aim of the law should be to tax all property liable to taxation, of whatever nature and description, and in taxing it to observe the principle of uniformity of rate and uniformity in the valuation of the different classes of property. You should also carefully consider the laws relating to the taxation of all corporations doing business in this state, and ascertain whether they are bearing their fair and equal proportion of the public charges. The state affords them the benefit and protection of its laws, and the reciprocal duty should be devolved upon them of contributing their share to its support. Upon the same principle, residents of other states loaning money in this state should be required to pay taxes on the amount employed. It is not possible for me at this time to enter into consideration in detail of the wants of the people in this regard. I can only suggest some of the general principles which should control you in the consideration of the subject of taxation. The demand for a revision of our tax laws is urgent and widespread. You are here by the will of the people who have confided to you the sovereign power to tax—to take the citizen's property for governmental purposes. It is important that you should wisely exercise this power, aiming to avoid all inequalities, and to place the burden of taxation so that it will bear, as nearly as possible, equally upon all.

#### THE PENITENTIARY.

Our penitentiary has been a serious charge upon the state. The law inflicts punishment upon the criminal to protect society and effect his reformation, and to deter others from the commission of crime. The punishment consists in confining him in the state penitentiary for a period of time proportionate to the enormity of his offense. When he has served his punishment, the

public good requires that he shall return to society a better or reformed man. But the reformation of the criminal cannot be effected by his confinement alone. There must be, in addition, the influence of moral forces upon his character and regular employment upon his habits, to work his reformation. As a means to this end, systematic employment is regarded as one of the most humane as well as valued means of reform used in penal institutions. It is essential to the health of the convict, and is due to the state as recompense for his support. Any system of regular employment, therefore, which the state chooses to initiate that would tend to lighten the burden of his support, and make the prison in a measure self-sustaining, is a decided gain for the people, and likely to improve the health and benefit the habits of the convict. But experience has shown that it is extremely difficult to select an industry which will afford regular employment without bringing convict labor in competition with free labor. We know, as a matter of fact, that wherever the employment of convict labor has been brought in competition with free labor it has produced much dissatisfaction. It was in a measure the desire to avoid this result that induced the last legislature to make an appropriation for the erection and operation of a jute mill with convict labor. It was claimed that by this means the state could work its convict labor with profit in manufacturing articles at low price, and largely in use by our farming class, and at the same time avoid competition with free labor.

In the neighboring states of California and Washington jute mills have been erected and operated for the past few years, but whether profitably or not I am not informed. But, since the appropriation has not been used for a jute mill, as the law contemplated, for reasons which will doubtless appear satisfactory to you, it is highly important, in view of the fact that jute goods are now on the free list by recent tariff legislation, to ascertain and determine whether the state will realize any profit or advantage by building and operating a jute mill with convict labor. It certainly is true that the state does not want to engage in any doubtful experiments; and, unless you think after careful consideration, that the conditions are favorable to the operating of a jute mill industry with convict labor, the proposed enterprise had better be abandoned and the money appropriated for this object be devoted to some other needful public purpose. It is never wise for a state to buy an enterprise which prudent men are anxious to get rid of. There is an impression among some of our people that the purchase of the foundry plant and its operation with convict labor has not been productive of profit or advantage to the state. The idea briefly is that "an elephant" was unloaded upon the state. I trust there is no foundation for



such impression, but that facts will disclose that the foundry has been successfully and profitably operated, furnishing regular employment for the convicts, and making the penitentiary in a great measure a self-sustaining institution. It is your duty to ascertain what is the true state of the case in respect to these matters, so that you will be able to make such provision for, or disposition of these industries, proposed and contemplated, as may be of the highest advantage to the state and the best interests to the people. In this connection, I would suggest that you consider whether such a change in the present statutes is desirable as would enable the state to transport her own convicts from the jails to the penitentiary through her own agency connected with the penitentiary management. Under existing laws, the sheriffs deliver the convicts to the penitentiary authorities, and the cost for each convict brought to the prison is thought to be largely in excess of what it would cost for the warden to send a guard for such convicts. This method of conveying convicts to the penitentiary, and others based on similar suggestions, have been adopted in several states and resulted in benefit and advantage to the taxpayer.

#### ASYLUM FOR THE INSANE.

The duty of providing for the insane is a work of charity and benevolence which I commend to your generous consideration. The charity which takes care of this unfortunate class is a noble work and finds its source in the best impulses of our nature. It is a work which demands the highest intelligence and keenest sympathy to manage with efficiency and humanity. Whatever is necessary for their relief and comfort ought to be done promptly. The dictates of humanity and the honor of the state alike demand that none of these unfortunate ones should be uncared for. We have one institution at the capital, and another soon to be erected in eastern Oregon, devoted to this noble work, which bespeak the generosity of our people and indicate that no sordid influences can effect them when places for the comfortable care of these unfortunates are needed. A generosity which taxes itself to accomplish such objects ought not to be abused. It is believed, owing to the laxity of our laws, that many persons are sent to the asylum, and many remain there as its inmates who are not proper subjects for its charity, and that if the defects of our laws in these particulars were remedied, it would diminish the number of insane, so accounted, fully one fifth, and greatly reduce the expenses of the institutions. Evils of this character are abuses of charity and ought to be promptly remedied. In this connection, I would also suggest that I think it would be to the interest of the state that the asylum, through her own agency,

should be intrusted, wherever it can be done, with the transportation of insane persons. Besides the difference in expense, there is the further reason that a guard sent by the asylum would be much more expert in handling this unfortunate class, and therefore would often know how to spare them unnecessary physical pain and mental distress. I earnestly recommend these matters to your consideration.

#### MILITIA.

The protection of society demands that sufficient provision should be made for the suppression of mobs, riots, and other disorders which are beyond the power of the civil authorities to control. Experience has demonstrated that when such uprisings or internal disorders occur, endangering the life and property of citizens, the prompt use of organized military force is the most effective way to suppress them and restore order. In fact, there is no better way to secure obedience and respect for the laws than always to possess the power to enforce them. For these reasons, it is important to have sufficient military organization, well armed and equipped, and under proper discipline, to assist the civil authorities in the enforcement of the laws in case any crisis or emergency should arise which is beyond their power to control. But the military organization should not be so extensive as to require large expenditure of the public money. There is no actual necessity for a large organization. Our people are law-abiding and respect the individual rights of others. They are not of the sort who are prone to riotous conduct or disposed to do violence to the person and property of others. I do not think, therefore, that any large military organization ought to be kept up, or so large as is now maintained; it would be sufficient to have a military organization of several companies, which, properly distributed over the state, would answer every exigency. It gives me pleasure to say that, so far as my observation has extended, our companies are composed of brave and patriotic young men who are engaged in peaceful pursuits in civil life, and who are loyal to our state and its laws, our country and its flag.

#### EDUCATION.

The general diffusion of knowledge furnishes the best guarantee for the strength and stability of the state. Popular education is closely allied to popular liberty. No state can afford to neglect the educational interests of its children. It should give them all an opportunity, at the public expense, to enjoy such educational facilities and advantages as will enable them to become fairly intelligent citizens. But it is evident that those who

are to teach children should possess the special training that qualifies them for the work. To obtain expert teachers, it is necessary to have schools for their education. With this end in view, our normal schools were established. I take it that they are fulfilling the purpose for which they are designed, and are in good condition and constantly increasing in efficiency. So, too, it is my opinion that the state university and the agricultural college are performing efficiently and acceptably their share in the educational system of the state. Under the able management of their presidents, aided by their corps of accomplished professors, these institutions, in the line of their educational work, ought to become valuable aids in the development of the state, and the advancement of knowledge and intelligence. The schools for the blind and the deaf and dumb are performing an important work, and are deserving of your fostering care. But, in respect to these educational institutions of whatever description, I feel bound to say that, in view of the large amount of money which the state has invested in their grounds and buildings, and the large amount which is required for their support, it is due the taxpayer that they be managed with strict economy, and their expenses be reduced to the lowest possible limit, not incompatible with their efficiency and usefulness. Upon this basis, I recommend whatever appropriations may be found necessary for their support. This recommendation, of course, includes the idea that every institution should show satisfactorily to you what are its needs for efficient work, and excludes the idea that any institution should have a fixed sum provided by law, as in that case there is always a tendency to consume the appropriation, whether the whole is needed or not, rather than allow any part of it to return to the treasury by operation of law. Every law of this character, if there be any such, ought to be promptly repealed, leaving the appropriation for all institutions to be based on an estimate satisfactorily shown to be needful for its wants and efficiency. As to the reform school, I have little data upon which to found an opinion. The buildings and out-buildings are new, and sufficient for present purposes. No additional cost of this kind need be incurred. It would seem that this institution, with the labor force at its disposal among its inmates, and the large acreage attached to it, under careful and economical management ought to be made nearly self-sustaining. Certainly the sum needed for its support for the ensuing two years ought not to be large.

#### PUBLIC ROADS.

There is no subject of equal importance upon which the public mind is more unanimous than the advantage to be derived

from good roads. The subject of economical road making has been much studied, largely discussed by the press and in road conventions. Every one understands that the state cannot be built up and its lands made valuable without good roads are constructed. But how to do it without involving too great an expense is the difficult problem. Various systems have been devised with varying degrees of merit, but they all include a measure of expense that makes it difficult for the younger states, like our own, to construct them in a satisfactory manner without entailing too heavy taxation upon property holders. This consideration, though, ought not to discourage us from ascertaining the condition of our roads and the best methods of constructing and improving them. Our state is in great need of good roads. Where the cost of them is reasonable, there can be no better investment. Good roads facilitate intercourse and develop trade, promote health, and add greatly to the enjoyment of life, enhance the value of farms, and make markets accessible for the sale of their products, spare beasts of burden and save the wear and tear of wagon and harness. It is greatly to be desired that some economical plan may be devised to secure good roads, so that our communities may be enabled to enjoy their advantages. There is no doubt that our road laws have failed to accomplish, in a satisfactory manner, the object of their enactment. The system created by them is defective and needs thorough revision. I own I have no plan for correcting their defects, but I suggest to you, who are intelligent men of experience in practical affairs, to take the matter into consideration and endeavor to evolve some system which shall remedy their defects and secure better roads for the traveling public. As the question of good roads is a matter now much discussed, you can acquire much useful information in regard to them through pamphlets which have been published and circulated with the view of suggesting the best method of improving and building good roads.

#### IRRIGATION.

There will be submitted for your consideration a bill, designed to enable our state to take advantage of a law known as the Carey law, which gives to those states having large tracts of arid lands, a million of such acres on the condition of reclaiming them by irrigation. Our state is included among those entitled to avail themselves of its provisions. This is a highly important subject to eastern Oregon, where there are large quantities of arid lands, and where there are mountain ravines in which water may be stored by dams for irrigating and making them productive and valuable. In this way, large tracts of arid

lands may be reclaimed for the uses of civilization and become the happy abodes of industry and contentment. I commend the subject to your careful and intelligent consideration.

#### SALMON FISHERIES.

Our salmon fisheries, being one of our leading industries, are the source of great revenue and give employment to many men. Salmon fish, when prepared for market, constitute one of the principal exports of the state, and are an important part of its commerce. The necessity of proper regulations for salmon fishing, to preserve them from destruction, and to protect our future supply, is too manifest to require discussion. Whatever further regulations in this behalf are necessary ought to be established by the legislature and enforced by the courts. We cannot too vigilantly guard our salmon interests from destruction. The lesson taught by the history of other states, where they once abounded but have now disappeared, emphasizes the necessity of such regulations for their preservation and propagation. One of the means to preserve salmon and obviate their decrease on account of the catch, is their artificial propagation, but I understand that some legislation is required on the part of the state to enable it to avail itself of the benefits to be derived under the regulations prescribed by the United States statutes for fish culture. Whatever legislation in this regard may be needed for the propagation and preservation of salmon should be enacted.

#### LABOR.

It is indispensable to the peace of society and the welfare of the people that the relation between those who perform manual labor and those who employ it shall be harmonious and satisfactory. But, to secure this condition of feeling between them, the relation must be founded on recognized principles of justice, mutually contributing to the advantage and protection of each other. Both employer and employé have rights that must be respected and defended from the unjust demands and encroachments of the other. Neither can disregard the conditions essential to preserve harmony and good will between them without exposing society to disturbances and disastrous conflicts, endangering life and property. It is gratifying to know that our state has been free from the turbulence and disorder which has been so common in some of the other states, and that our exemption is due to the intelligence and orderly character of our industrial classes. It is a duty we owe them to look steadily after the conditions which injuriously affect their employment and welfare.

In my judgment, one of the greatest dangers that menace honest labor is the indiscriminate immigration now inundating our country. To the poor and oppressed of other lands our country offers an asylum, but this invitation does not include the corrupt and vicious, the paupers and the criminal classes, nor those—worse still—who use its freedom to work its destruction. We cannot afford that our country shall be the dumping ground for the degraded and socialistic classes of other nations. This evil is upon us, and unless remedied sooner or later, we shall feel its contaminating influences upon our national life in disturbing the conditions that surround labor and that are essential to its independence and prosperity, and in endangering the health and safety of the people and the welfare of the republic. The people ought to make themselves heard upon this subject in tones so distinct as to cause their representatives to heed their demand for legislation which shall exclude from our shores this vicious and dangerous class of immigration.

SUPREME COURT.

A delay of justice often operates as a denial of justice. The bill of rights in our constitution declares that "justice shall be administered openly and without purchase, completely and without delay." The business of the supreme court is increasing so rapidly that it will soon become impossible for the judges to keep pace with it, and properly perform their duties. With the aid of their efficient stenographer they have kept the work from accumulating as rapidly as it otherwise would, and are now only behind in the hearing of cases some two or three months. But in the nature of things it cannot be long before their docket will be crowded with cases, causing much delay, vexation, and expense, before their final adjudication. In anticipation of this condition of things, an amendment was passed by the last legislature, which will be submitted to you, proposing an increase of two in the number of supreme judges. Upon this proposed amendment I shall leave you to act as your best judgment dictates. What I wish to suggest is that, in my opinion, appeals in civil case might be considerably limited, and the business of the court largely decreased, by granting them only where the judgment rendered exceeds two hundred and fifty dollars, unless such judgment involves matters affecting lands, public revenue, or the construction of the constitution of the state and the United States. Upon examination, I think it will be found that a large number of cases involve sums of less than two hundred and fifty dollars, and, in many instances, the object in appealing these cases is to obtain delay, or to gratify a bad feeling between the parties litigant. I am aware of the objection usually urged against such a



law, namely, that every citizen should have the right of appeal, no matter how small the sum, otherwise its effect would be to discriminate against citizens of small means. On the other hand, many good citizens suffer injustice and wrong rather than submit to the long, expensive, and vexatious delays which usually attend a resort to the appellate court for redress.

Possibly some other remedy may be devised to correct this evil, but the necessity that relief should be afforded the court, and a prompt hearing and adjudication of causes be obtained, is imperative. The judges now are the hardest working officials in any department of state. Their duties comprise grave responsibilities and interests of the highest conceivable character. Life, liberty, reputation, and property are intrusted to their judgment, and rest upon their decision. They are, as your judges should be, men of ability and learning, wise in judgment, upright in character, firm and courageous in spirit, who will render their judgments uninfluenced by the voice of popular clamor and unintimidated by threats of political vengeance. Having such judges, it is your duty to afford them relief, and make sure reasonable compensation for their services. Their salary ought not to be reduced. Salaries should be commensurate with the duties, dignities, and responsibilities of the office to which they are attached. None should be so high that fortunes can be made from them, or so low that, with frugality, they are without pecuniary benefit. There are some officials, such as those composing the railroad commission, whose salaries could be reduced one third, and still be reasonable compensation for efficient services. The railroad commission, where it fulfills the purpose of its creation, is a useful body and a benefit to the people, though I think one commissioner and his clerk are all that are needed.

OFFICES SHOULD BE FILLED BY THE PEOPLE OR THEIR  
EXECUTIVE.

The mode of selecting railway commissioners, as some other officers, by the legislature, is wrong and of doubtful validity, although sanctioned by custom and sustained by some judicial precedents. The power to appoint to an office ought to be lodged in the people or their executive. Such a power is not legislative, nor should it be exercised by the legislature except in the appointment of officers for its own body. Every statute which vests such power in the legislature ought to be amended in this regard, and lodged in the people or their executive. Such a change is needed in our statutes to save your valuable time for legislative service, to do away with trades and combinations to

advance political fortunes, and to put an end to the disgraceful scenes that sometimes characterize the scramble for legislative appointments to office.

#### PUBLIC PRINTING.

The public printing is swelled much beyond the needs of the public service, and ought to be largely diminished. Some of it is in form of tables more open than similar printing for private citizens, and part of it is not only of no public interest, but is of no public concern, consisting in some instances of mere printed blank forms that are of no more use than so many blank pages, except to count as an extravagant public expenditure. This is serious injustice to those who foot the bills. The law authorizing public printing is too lax. You ought to investigate it thoroughly for the purpose of ascertaining the nature and extent of its defects with a view of remedying it.

#### MARRIAGE AND DIVORCE.

The national reform league is engaged in a movement to secure uniformity in the law governing marriage and divorce. This is an important subject, vitally affecting the interests of domestic life and the welfare of the people, and is worthy of your attentive consideration. I would suggest that you appoint a committee without pay to examine into the merits of the subject and report the result of its deliberations to the next legislature.

#### REDEMPTION FROM FORCED SALES.

Your attention is also directed to the necessity of extending the time for the redemption of realty sold at judicial sales. Owing to the financial depression and the depreciation in value of land and its products, forced sales at this time are relatively confiscatory.

#### BANK INSPECTION.

There is also some demand for legislation in respect to the inspection of banks, with a view of guarding the interests of those depositing money and doing business with them. It is claimed that some of the heavy losses, public and private, which occurred lately, owing to the suspension or failure of some of our banks, would have been averted if such a law had been in force and operation. As practical business men, acquainted with the wants of the communities which you represent, I submit the desirability of this demand to your intelligent consideration.



## APPROPRIATION BILLS.

Bills for the appropriation of the public moneys ought to be submitted to you early in the session, so as to afford opportunity for the members to carefully examine and pass upon them, and not be left to the hurried consideration that marks the closing scenes. The custom of including in one bill appropriations of the public moneys for every conceivable purpose, general and special, is thoroughly vicious, and ought not to be countenanced. There are certain fixed charges and liabilities for the support of the state government for which specific appropriations might be embodied in one bill, but in all other cases the bill ought not to include appropriations for more than one object. In other words, no bill appropriating public revenue, except as stated, should contain an appropriation for more than one object. By adopting this method, every appropriation must stand or fall upon its own merits; there will be afforded the executive an opportunity to interpose any objection that he may have to the appropriation without delaying the passage of appropriations that are unobjectionable or meritorious, and thus put in practice that wise principle incorporated in the constitutions of some states, which allows the executive to veto single items or appropriations in a general appropriation bill. The rule that every measure should stand on its own merits is too apparent for discussion, but in no case is the reason for its application more manifest than in the consideration of bills appropriating the public revenue to be raised by taxation. Under the practice which has prevailed in this state of including in one bill appropriations for every conceivable public purpose and delaying its introduction until the end of the session, when there is no time for the members to examine it carefully, or the executive to exercise his power of veto without defeating appropriations contained therein needed for the public service, lavish and unnecessary appropriations have been secured, and the interests of the people disregarded. Experience has demonstrated in this state the embarrassment that is occasioned by the adjournment of the legislature without making needed appropriations for the support of the state, but these are ills which we had better bear, or the expense of reconvening the legislature, than that the executive should feel compelled to approve a general appropriation bill that bears the mark of having been railroaded through the legislature during its expiring hours to avoid examination and discussion, so as to secure some needless, extravagant, and objectionable appropriation of the public moneys.

## CONCLUSION.

In entering upon the performance of the duties to which we have been called, as the trusted agents of the people, we must not be unmindful of their wants and interests. We owe them a conscientious performance of duty and we must fulfill our obligation. That obligation requires us to lighten the burden of taxation wherever it can be effected without detriment to the public service. As a means to this end, the people demand that we exercise the same care and economy to avoid extravagance and needless public expenditures in the conduct of the public business as govern prudent men in the management of their private affairs. The conditions that surround them emphasize the necessity for the practice of public and private economy, for the reform of any wasteful habits or practices, and for diminishing the public expenditures and reducing taxation. To effect these reforms, lavish and unnecessary appropriations of the public money must not be countenanced or tolerated; for these always put an unjust burden on the backs of the people, tend to check industrial activity and business enterprise, and serve to retard the general growth and development of the state.

Gentlemen, we cannot overestimate the responsibilities of our positions. Our oaths will not rest lightly on our consciences if we neglect our duty or abuse our trust. We are brought together by a majority larger than the people ever before accorded to their representatives. To that extent it emphasizes more strongly our duty to redeem our pledges for retrenchment and reform. Let us all, without distinction of party, join in a common purpose to faithfully serve the state and advance the interests of its people. Let us coöperate in showing to them our sense of obligation and appreciation of the generous confidence reposed in us by jealously guarding the public revenues and withholding our sanction from any appropriation of them except for the public good,—by reforming abuses which custom or bad laws have fastened on the body politic,—by practicing a rigorous economy in the management of public affairs,—by reducing state taxation to the lowest possible limit consistent with a wise and economical administration of the public business,—by abolishing useless offices and discontinuing the employment of supernumeraries in the public service,—by enacting laws designed to advance the public welfare, and repealing those which conflict with the interests of the people,—and by devoting our best energies and abilities to the advancement and prosperity of the state.

On motion of Representative Paxton the joint convention dissolved.

THURSDAY, JANUARY 17, 1895.

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IN THE SENATE.

The senate was called to order at 1:45 o'clock p. m. by the president.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 12, in regard to resolution in respect to the death of ex-Governor Chadwick.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Under senate concurrent resolution No. 12, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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THURSDAY, JANUARY 17, 1895.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 17, 1895. }

The senate was called to order at 10 o'clock A. M. by the president.

The roll call was called, and all the senators were present.

The senate was opened with prayer by the Rev. Mr. Templeton of the Cumberland Presbyterian church.

On motion of Senator Dawson the reading of the journal of yesterday's proceedings was dispensed with.

Senator Cogswell introduced senate joint resolution No. 2.

SENATE JOINT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring,* That the secretary of state be and he is hereby authorized and empowered to purchase ninety copies of the second edition of Hill's annotated laws of

Oregon for the use of the members of this legislative assembly.

Senator Cogswell moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the resolution was adopted.

The president stated to the senate that in announcing the standing committees, through inadvertence, the name of Senator McGinn has been substituted for that of Senator Steiwer on the committee on assessments and taxation, and the name of Senator Steiwer had been substituted for that of Senator McGinn on the committee on public buildings.

With the unanimous consent of the senate the president made the necessary correction, and announced that the committee on assessment and taxation would consist of Senators Woodard, Hobson, Steiwer, Price, and Butler; and that the committee on public buildings would consist of Senators Gesner, McGinn, and Beckley.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 11, providing for a committee of three on the part of house and two on part of senate to submit a joint memorial to United States congress on the subject of foreign immigration.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 11.

*Resolved by the House, the Senate concurring,* That a committee of three persons from the house and two from the senate be appointed to send a joint memorial to the United States congress on the subject of foreign immigration.

On motion of Senator McClung, the senate concurred in house concurrent resolution No. 11.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 13, providing that our senators and representatives in congress be requested to secure the forfeiture of all unearned railroad land grants, and that a copy of this resolution be furnished to our senator now in Salem, and to our senator and representatives now in Washington.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 13.

*Resolved by the House, the Senate concurring,* That our senators and representatives in congress be requested to use all honest endeavors to secure the forfeiture of the unearned railroad land grants, and especially what is known as the "Quadrant," in Washington, Columbia, and Tillamook counties of this state, and that a copy of this resolution be furnished our senators and representatives in congress.

Senator Alley moved the adoption of the resolution.

Senator Cogswell moved to refer the resolution to the committee on public lands.

Senators Huston and Vanderburg called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—21.

Nays—Senators Butler, Holt, Huston, King, McAlister, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—9.

So the resolution was referred.

Senator Woodard moved that when the senate adjourn it adjourn until Monday, January 21, 1895, at 2 o'clock p. m.

The ayes and nays were demanded by Senators Vanderburg and Smith of Sherman.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter,

Dawson, Denny, Gowan, Hobson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—18.

Nays—Senators Beckley, Cogswell, Gesner, Holt, Huston, Johnson, King, McAlister, Smith of Sherman, Smith of Clatsop, and Vanderburg—11.

Absent—Senator Raley—1.

So the motion prevailed.

Senator Gesner introduced senate joint resolution No. 3.

#### SENATE JOINT RESOLUTION NO. 3.

*Resolved by the Senate, the House concurring,* That the following amendments to the constitution of the state of Oregon be and are hereby proposed: That to article IV, section 32, shall be added as follows:—

##### ARTICLE IV.

Section 32. Every and all bills making appropriations of money from the funds of the state shall be introduced not later than ten days before the time of final adjournment of the legislature.

That to article V, section 19, shall be added as follows:—

##### ARTICLE V.

Section 19. Every and all bills which shall have passed the legislative assembly making appropriations of sums of money for different purposes, it shall be competent for the governor to veto any one or more of the separate items of appropriations, and return the same with his objections thereto, as provided in section 15, and approve the remaining portions of the bill, which shall then become a law.

Senator Gesner moved the adoption of the resolution.

Senator Cogswell moved to refer the resolution to the committee on judiciary.

The motion prevailed.

Senate bill No. 57. Senator Butler. A bill for an act to provide the necessary clerical aid for the legislative assembly for the state of Oregon.

Senate bill No. 57 was read first time and passed to second reading without question.

Senate bill No. 58. Senator Vanderburg. A bill for an act to provide for the calling of a convention to prepare a new constitution for the state of Oregon.

Senator Vanderburg moved that the rules be suspended and that senate bill No. 58 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, McGinn, and Price—3.

So the rules were suspended and senate bill No. 58 was read first time by title only and passed to second reading.

Senate bill No. 59. Senator Brownell. A bill for an act providing for the office of bank commissioner, fixing his salary, and defining his duties.

Senator Brownell moved that the rules be suspended and that senate bill No. 59 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 59 was read first time by title only and passed to second reading.

Senate bill No. 60. Senator McAlister. A bill for an act entitled an act creating the eighth judicial district of the state of Oregon, and providing for the appointment of a judge and prosecuting attorney, and the times and places of holding the circuit courts of said district.

Senator McAlister moved that the rules be suspended and that senate bill No. 60 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 60 was read first time by title only and passed to second reading.

Senate bill No. 61. Senator Smith of Clatsop. A bill for an act to amend an act entitled "An act to provide for the laying out, constructing, or improving county roads, and levying assessments upon adjacent lands benefited to create a fund to pay the same."



Senate bill No. 61 was read first time and passed to second reading without question.

Senate bill No. 62. Senator Gowan. A bill for an act entitled an act to provide for the location and relocation of county seats of the counties within the state of Oregon, and to provide for the time and manner of holding an election in relation thereto.

Senator Gowan moved that the rules be suspended and that senate bill No. 62 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—Senator Price—1.

So the rules were suspended and senate bill No. 62 was read first time by title only and passed to second reading.

Senate bill No. 63. Senator Holt. A bill for an act to incorporate the town of Gold Hill, in the county of Jackson, state of Oregon.

Senator Holt moved that the rules be suspended and that senate bill No. 63 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 63 was read first time by title only and passed to second reading.

Senate bill No. 64. Senator Dawson. A bill for an act to amend section 2815 of Hill's annotated laws of Oregon.

Senate bill No. 64 was read first time and passed to second reading without question.

Senate bill No. 65. Senator Gesner. A bill for an act to increase the per diem of jurors in certain cases.

Senator Gesner moved that the rules be suspended and that senate bill No. 65 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn,



Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Raley—1.

So the rules were suspended and senate bill No. 65 was read first time by title only and passed to second reading.

Senate bill No. 66. Senator McGinn. A bill for an act requiring all legal and judicial advertisements to be published in the official newspaper of the county, and directing the county courts of the several counties in this state to designate such official newspaper.

Senator McGinn moved that the rules be suspended and that senate bill No. 66 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Dawson and Raley—2.

So the rules were suspended and senate bill No. 66 was read first time by title only and passed to second reading.

Senate bill No. 67. Senator Bancroft. A bill for an act to define and punish an attempt to break and the breaking into any railway car situated in the state of Oregon, and to protect property therein contained.

Senator Bancroft moved that the rules be suspended and that senate bill No 67 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and Raley—2.

So the rules were suspended and senate bill No. 67 was read first time by title only and passed to second reading.

Senate bill No. 68. Senator Smith of Sherman. A bill for an act to regulate railway traffic between Celilo and The Dalles.

Senator Smith of Sherman moved that the rules be suspended and senate bill No. 68 read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and Raley—2.

So the rules were suspended and senate bill No. 68 was read first time by title only and passed to second reading.

Senate bill No. 69. Senator Vanderburg. A bill for an act to amend sections 1 and 2 of an "Act to amend sections 2789 and 2790 of the laws of Oregon, as compiled by W. Lair Hill, relating to the levy of taxes for state purposes, and to repeal sections 3772 and 3773 of the laws of Oregon, as compiled by W. Lair Hill, relating to the raising of revenue for military purposes," and to repeal section 1 of an act entitled "An act to amend sections 1, 2 and 3," and to repeal section 4 of an act entitled "An act to aid in the support of the university of Oregon, approved October 17, 1882," filed in the office of secretary of state February 25, 1889, relating to raising of revenue for the support of the state university, and providing for the raising of said military and university funds by a levy to be made sufficient to raise a gross sum for each, instead of by a fixed rate of taxation, which was filed in the office of the secretary of state February 20, 1893.

Senator Vanderburg moved that the rules be suspended and senate bill No. 69 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Price and Raley—2.

So the rules were suspended and senate bill No. 69 was read first time by title only and passed to second reading.

Senate bill No. 70. Senator Gowan. A bill for an act for the more efficient organization and discipline of the militia of the state of Oregon.

Senator Gowan moved that the rules be suspended and that senate bill No. 70 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays — None.

Absent — Senator Smith of Sherman — 1.

So the rules were suspended and senate bill No. 70 was read first time by title only and passed to second reading.

Senate bill No. 71. Senator Smith of Clatsop. A bill for an act to amend an act entitled an act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, and 3498 of Hill's annotated laws of Oregon.

Senator Smith of Clatsop moved that the rules be suspended and that senate bill No. 71 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 27.

Nays — None.

Absent — Senators Alley, Raley, and Smith of Sherman — 3.

So the rules were suspended and senate bill No. 71 was read first time by title only and passed to second reading.

Senate bill No. 72. Senator Steiwer. A bill for an act to provide simple forms for deeds in the state of Oregon, and to abolish the use of private seals.

Senate bill No. 72 was read first time and passed to second reading without question.

Senate bill No. 73. Senator Dawson. A bill for an act to define the terms "land" and "real property," for the purpose of taxation, and to provide how and with what effect the same shall be sold for taxes due thereon, and to declare what instruments, whereby land or real property is made security for the payment of debt, shall be void, and to repeal all acts and parts of acts in conflict herewith.

Senator Dawson moved that the rules be suspended and that senate bill No. 73 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt,

Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 73 was read first time by title only and passed to second reading.

Senate bill No. 74. Senator Huston. A bill for an act to amend an act entitled an act to prevent the spread of contagious animal diseases, approved February 25, 1889.

Senate bill No. 74 was read first time and passed to second reading without question.

Senate bill No. 75. Senator Patterson. A bill for an act to define the terms "land" and "real property" for the purpose of taxation, and to provide for its assessment and when the same shall be assessed and taxed, and providing for the collection of such taxes, and to declare what instruments whereby land or real property is made security for the payment of debt shall be void, and to repeal an act entitled "An act to amend section 2752, and to repeal sections 2730, 2735, 2736, 2737, 2753, 2754, 2755, 2756, and 2757 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the assessment of property and to the collection of taxes."

Senator Patterson moved that the rules be suspended and that senate bill No. 75 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 75 was read first time by title only and passed to second reading.

Senate bill No. 76. Senator McClung. A bill for an act to abolish private seals.

Senate bill No. 76 was read first time and passed to second reading without question.

On motion of Senator Alley, the courtesies of the senate were extended to ex-Senator Jeff Meyers, and he was invited to a seat within the bar.

On motion of Senator Bancroft, the courtesies of the senate were extended to ex-Senator G. A. Steel, and he was invited to a seat within the bar.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1895. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 11, providing for a joint committee to look after the fishing industries of the Columbia river, and the speaker has appointed Messrs. Lester, Myers, and Daly as the committee on part of the house.

And the same is herewith transmitted to you for enrollment.

R. E. MOODY,  
Chief clerk.

The president appointed Senators Maxwell and Vanderburg on the committee on the part of the senate.

Senate bill No. 77. Senator Denny. A bill for an act to amend section 2860 of Hill's annotated code of Oregon, being section nine (9) of an act entitled an act to regulate marriages, approved October 16, 1862.

Senate bill No. 77 was read first time and passed to second reading without question.

Senate bill No. 78. Senator Dawson (by request). A bill for an act to amend section 3326 of an act entitled an act to amend sections 3320, 3323, 3324, 3325, 3326 of chapter XXXV of Hill's annotated laws of Oregon, on the subject of the incorporation of cemeteries.

Senate bill No. 78 was read first time and passed to second reading without question.

On motion of Senator Woodard, the courtesies of the senate were extended to General Kapus, and he was invited to a seat within the bar.

Senator Cogswell moved to take from the table the communication from his excellency, Governor Pennoyer.

Motion lost.

On motion of Senator Raley, the senate adjourned until Monday, January 21, 1895, at 2 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

MONDAY, JANUARY 21, 1895.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1895. }

Senate called to order at 2 o'clock p. m. by the president.

The roll was called, and all the senators were present.

The senate was opened with prayer by Rev. J. M. Shulse of the South Salem Methodist Episcopal church.

On motion of Senator Maxwell, the reading of the journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 41,—a bill for an act to make appropriation for expenses of the legislative assembly.

And the same is herewith transmitted to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
January 21, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to request the return to the executive office of the following appointments, sent to the senate January 15, 1895:—

For regents of State Agricultural College: J. M. Osborn, appointed July 11, 1894; John Emmitt, appointed December 17, 1894; Bernard Daly, appointed December 17, 1894; W. A. Sample, appointed December 17, 1894.

For regents of the state university: Joshua J. Walton, appointed March 28, 1893; R. S. Bean, appointed December 17, 1894; S. H. Friendly, appointed December 17, 1894.

For regents of state normal school at Monmouth: A. Noltner,

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appointed June 19, 1893; Benjamin Schofield, appointed June 19, 1893.

W. S. DUNIWAY,  
Private secretary.

On motion of Senator Denny, the communication referred to in the governor's message was taken from the table.

On motion of Senator Denny, the request of His Excellency, the Governor, was complied with, and the communication returned to His Excellency.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 3, with the following amendment and recommendation: Striking out the words "necessary clerical assistance," and inserting in lieu thereof, "one clerk not to exceed five dollars per day," and recommending that a majority of the committee be composed of veterans.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Alley, the senate concurred in house amendments to senate concurrent resolution No. 3.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house concurrent resolution No. 14, providing that the committee visiting the soldiers' home at Roseburg be requested to stop off and visit the state normal school at Drain.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



## HOUSE CONCURRENT RESOLUTION NO. 14.

*Resolved by the House, the Senate concurring,* That the joint committee appointed by the senate and house of representatives to visit the soldiers' home at Roseburg, be and are hereby requested to stop off at Drain and visit the Oregon state normal school at that place.

On motion of Senator Alley, the senate concurred in house concurrent resolution No. 14.

On motion of Senator Raley, the courtesies of the senate were extended to ex-Senator W. F. Matlock, and he was invited to a seat within the bar.

On motion of Senator Cogswell, the courtesies of the senate were extended to General John F. Miller, and he was invited to a seat within the bar.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed Messrs. Gates, Blundell, and Boothby as the committee on the part of the house under senate concurrent resolution No. 3.

R. E. MOODY,  
Chief clerk.

The president appointed Senators Alley and Smith of Clatsop as the committee on the part of the senate under senate concurrent resolution No. 3.

Senate bill No. 79. Senator Denny. A bill for an act to regulate the incorporation and business of building and loan, and savings and loan associations doing a general business.

Senator Denny moved that the rules be suspended and that senate bill No. 79 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 79 was read first time by title only and passed to second reading.

Senate bill No. 80. Senator Brownell. A bill for an act entitled an act to create the office of state irrigation engineer, and



to provide for the acquiring title to and reclamation of the million acres of arid land proposed to be granted and patented by the United States to the state of Oregon, or its assigns, by the act of the congress of the United States, approved August 18, 1894.

Senator Brownell moved that the rules be suspended and that senate bill No. 80 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Gowan—1.

So the rules were suspended and senate bill No. 80 was read first time by title only and passed to second reading.

Senate bill No. 81. Senator Alley. A bill for an act to amend section 2172 of Hill's Code of the state of Oregon, relating to security for costs in criminal actions in justice's courts.

Senate bill No. 81 was read first time and passed to second reading without question.

Senate bill No. 82. Senator Cogswell. A bill for an act amending title IV of chapter XVII of the miscellaneous laws of Oregon, relating to the equalization of assessments.

Senator Cogswell moved that the rules be suspended and that senate bill No. 82 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator McGinn—1.

So the rules were suspended and senate bill No. 82 was read first time by title only and passed to second reading.

Senate bill No. 83. Senator Price. A bill for an act to amend an act entitled "An act to amend section 2364 of title II of chapter XL of the miscellaneous laws of Oregon," as compiled and annotated by W. Lair Hill, filed in the office of the secretary of state February 19, 1891, filed in the office of the secretary of state February 22, 1893.

Senator Price moved that the rules be suspended and that senate bill No. 83 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 83 was read first time by title only and passed to second reading.

Unanimous consent having been first obtained, the committee on ways and means submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1895. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate resolution No. 8, to consider and make such recommendations as they may see fit regarding the number and per diem of clerks, submit this report with the following recommendations:

That the number of clerks allowed each committee be as follows: Agriculture and forestry, claims, commerce and navigation, education, federal relations, fishing industries, horticulture, insurance and banking, medicine, pharmacy and dentistry, military affairs, mining, municipal corporations, penal institutions, privileges and elections, public buildings, roads and highways, ways and means, one each; irrigation, judiciary, public lands, two each; printing, assessment and taxation, railroads, revision of laws, three each; engrossed bills, ten; and enrolled bills, nine.

The committee further recommend that the chief clerk of the senate receive, per day, seven dollars and fifty cents; assistant chief clerk, five dollars; calendar clerk, five dollars; reading clerk, seven dollars and fifty cents, mailing clerk, three dollars; sergeant-at-arms, five dollars; doorkeeper, five dollars; assistant doorkeeper, three dollars; pages, each, two dollars and fifty cents; agriculture and forestry, three dollars; assessment and taxation, chief clerk, five dollars; other clerks on same committee, each, three dollars; claims, three dollars; commerce and navigation, three dollars; counties, three dollars; education, three dollars; engrossed bills, chief clerk, five dollars; other clerks on same committee, each, three dollars; enrolled bills, chief clerk, five dollars; other clerks on same committee, each, three dollars; federal relations, three dollars; fishing industries, three dollars; horticulture, three dollars; insurance and banking, three dol-

lars; irrigation, each, three dollars; judiciary, each, five dollars; medicine, pharmacy, and dentistry, three dollars; military affairs, three dollars; mining, three dollars; municipal corporations, three dollars; penal institutions, three dollars; privileges and elections, three dollars; printing, each, three dollars; public buildings, three dollars; public lands, three dollars; railroad, each, three dollars; revision of laws, chief clerk, five dollars, other clerks on same committee, each, three dollars; roads and highways, three dollars; ways and means, three dollars.

I. L. PATTERSON,  
Chairman.

Senator Patterson moved the adoption of the recommendations of the committee.

Senator Jones moved to amend as follows:

#### AMENDMENT.

That the committees on irrigation and public lands be allowed one clerk each instead of two, and the committees on assessment and taxation, railroads, and revision of laws, be allowed two clerks each instead of three, as provided in the report of the committee.

On the question of the adoption of the amendment to the report of the committee, Senators Carter and Huston called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Carter, Gesner, Hobson, Holt, Huston, Johnson, King, McClung, Smith of Sherman, Vanderburg—11.

Nays—Senators Alley, Bancroft, Brownell, Butler, Cogswell, Dawson, Denny, Gowan, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—18.

Absent—Senator Calbreath—1.

So the amendment was lost.

The recommendation of the committee was adopted.

Senate bill No 84. Senator Denny. A bill for an act to amend section 1170 of title VII of chapter XV of Hill's annotated laws of Oregon, as compiled by William Lair Hill, relating to accounts of executors and administrators, and fixing a definite time at which executors and administrators shall report.

Senate bill No. 84 was read first time and passed to second reading without question.

On motion of Senator Smith of Clatsop, the courtesies of the senate were extended to ex-Senator Gray, and he was invited to a seat within the bar.

Senate bill No. 85. Senator King. A bill for an act to incorporate Baker City, in Baker county, state of Oregon, and to repeal all prior acts or parts of acts to incorporate Baker City, in Baker county, state of Oregon, and all amendments thereto.

Senator King moved that the rules be suspended and senate bill No. 85 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 30.

So the rules were suspended and senate bill No. 85 was read first time by title only and passed to second reading.

Senate bill No 86. Senator Price. A bill for an act entitled "An act to create the office of examiner of state and county treasurers, and to provide for the appointment and duties of such examiners."

Senator Price moved that the rules be suspended and that senate bill No. 86 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President — 29.

Nays — None.

Absent — Senator Vanderburg — 1.

So the rules were suspended and senate bill No. 86 was read first time by title only and passed to second reading.

Senate bill No. 87. Senator Calbreath. A bill for an act to amend section 24 (twenty-four) of the act to incorporate the city of McMinnville, Yamhill county, state of Oregon, filed in the office of the secretary of state February 25, 1889.

Senator Calbreath moved that the rules be suspended and that senate bill No. 87 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays — None.

Absent—Senator Price—1.

So the rules were suspended and senate bill No. 87 was read first time by title only and passed to second reading.

Senate bill No. 88. Senator Brownell. A bill for an act to amend sections 3587 and 3591 of Hill's annotated laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts inconsistent herewith.

Senator Brownell moved that the rules be suspended and that senate bill No. 88 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 88 was read first time by title only and passed to second reading.

Senate bill No. 89. Senator Raley. A bill for an act for the relief of Union county.

Senate bill No. 89 was read first time and passed to second reading without question.

Senate bill No. 90. Senator Raley. A bill for an act to define and punish tramps.

Senator Raley moved that the rules be suspended and that senate bill No. 90 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 90 was read first time by title only and passed to second reading.

Senate bill No. 91. Senator Holt. A bill for an act providing for the appointment of judges and clerks of elections, and to repeal section 3 on page 9 of the general laws of 1891; being an act fixing the time of holding elections, and approved by the governor February 16, 1891.

Senator Holt moved that the rules be suspended and that senate bill No. 91 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt,

Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 91 was read first time by title only and passed to second reading.

Senate bill No. 92. Senator Cogswell. A bill for an act to prescribe what shall be conclusive evidence of the enactment of laws by the legislative assembly.

Senate bill No. 92 was read first time and passed to second reading without question.

Senate bill No. 93. Senator King. A bill for an act to amend section 1 of an act entitled "An act securing liens for laborers on mining claims and material men, prescribing the manner of their enforcement, approved February 20, 1891."

Senate bill No. 93 was read first time and passed to second reading without question.

Senate bill No. 94. Senator Smith of Clatsop. A bill for an act to amend section 149 of title XV of chapter I of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 94 was read first time and passed to second reading without question.

Senate bill No. 95. Senator Huston. A bill for an act to amend section 282 of Hill's annotated laws of Oregon, and repeal an act entitled an act to exempt homesteads from attachment and judicial sale, approved February 21, 1893.

Senator Huston moved that the rules be suspended and that senate bill No. 95 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators McClung and Steiwer—2.

So the rules were suspended and senate bill No. 95 was read first time by title only and passed to second reading.

Senate bill No. 96. Senator Brownell. A bill for an act to amend sections 2119 and 2127 of Hill's annotated laws, as compiled and annotated by William Lair Hill.

Senator Brownell moved that the rules be suspended and that senate bill No. 96 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,



Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Patterson and Steiwer—2.

So the rules were suspended and senate bill No. 96 was read first time by title only and passed to second reading.

Senate bill No. 97. Senator Maxwell. A bill for an act to establish a graded school on the Pacific coast, and to appropriate money therefor.

Senator Maxwell moved that the rules be suspended and that senate bill No. 97 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, and Woodard—26.

Nays—None.

Absent—Senators Bancroft, Patterson, Steiwer, and Mr. President—4.

So the rules were suspended and senate bill No. 97 was read first time by title only and passed to second reading.

Senate bill No. 98. Senator Calbreath. A bill for an act to amend section 1017 of chapter XIII of Hill's annotated laws of Oregon, on the execution and return of process by former sheriff.

Senator Calbreath moved that the rules be suspended and senate bill No. 98 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—25.

Nays—None.

Absent—Senators Bancroft, McAlister, McGinn, Patterson, and Mr. President—5.

So the rules were suspended and senate bill No. 98 was read first time by title only and passed to second reading.

Senate bill No. 99. Senator Dawson. A bill for an act for the relief of Iva Templeton, on account of injuries sustained while traveling on a public highway.

Senate bill No. 99 was read first time and passed to second reading without question.



Senate bill No. 100. Senator Huston. A bill for an act entitled "An act to amend an act entitled an act to incorporate the town of Cornelius, in county of Washington, state of Oregon," filed in the office of the secretary of state February 10, 1893.

Senator Huston moved that the rules be suspended and that senate bill No. 100 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—24.

Nays—None.

Absent—Senators Bancroft, Calbreath, Dawson, McGinn, Patterson, and Mr. President—6.

So the rules were suspended and senate bill No. 100 was read first time by title only and passed to second reading.

Senate bill No. 101. Senator Cogswell. A bill for an act to repeal sections 3738, 3739, and 3740 of chapter LVIII of Hill's annotated laws of Oregon, as compiled by William Lair Hill, relating to the making of a list of all persons liable for military duty.

Senate bill No. 101 was read first time and passed to second reading without question.

Senate bill No. 102. Senator Smith of Clatsop. A bill for an act to amend sections 75, 76, 77, 78, 79, 82, and 94 of an act entitled "An Act to amend sections 8, 10, 13, 28, and subdivisions 1 (one) and 5 (five) of section 38, and sections 40, 135, 49, 56, 53, 59, 67, 123, 157, 69, 142, 75, 76, 77, 78, 79, 80, 81, 82, 83, 110, 94, 112, and 152, and to repeal sections 51, 99, 100, and 102 of an act entitled an act to incorporate the city of Astoria, in Clatsop county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Astoria, in Clatsop county, Oregon, approved October 20, 1876," which act was filed in the office of the secretary of state February 18, 1891, which amendatory act was filed in the office of the secretary of state February 13, 1893, and to amend sections 38, 55, 59, 103, 145, 149, 154, 161, 162, 163, 164, 168, 169, 171, 173, 174, 175, and 176 of an act entitled an act to incorporate the city of Astoria, in Clatsop county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Astoria, in Clatsop county, Oregon, approved October 20, 1876, which act was filed in the office of the secretary of state February 18, 1891.

Senator Smith of Clatsop moved that the rules be suspended and senate bill No. 102 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—23.

Nays—None.

Absent—Senators Bancroft, Calbreath, Dawson, McGinn, Patterson, Smith of Sherman, and Mr. President—7.

So the rules were suspended and senate bill No. 102 was read first time by title only and passed to second reading.

Unanimous consent having first been obtained, Senator Woodard introduced senate resolution No. 9.

#### SENATE RESOLUTION NO. 9.

*Resolved by the Senate,* That the calendar clerk of the senate be instructed to have prepared for the use of the members of the senate a calendar, showing the status of each bill and other measures to be acted on by the senate; and the sergeant-at-arms be and is hereby instructed to lay upon each member's desk at the opening of each morning session a copy of the same.

On motion of Senator Woodard, the resolution was adopted.

Senate bill No. 103. Senator Gowan. A bill for an act entitled an act to amend sections 2, 16, and subdivision 2 of section 24 of an act entitled an act to incorporate the town of Burns, filed in the office of the secretary of state February 18, 1891.

Senator Gowan moved that the rules be suspended and senate bill No. 103 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Bancroft, Calbreath, Dawson, McGinn, and Raley—5.

So the rules were suspended and senate bill No. 103 was read first time by title only and passed to second reading.

Senate bill No. 104. Senator Simon. A bill for an act to incorporate the city of Portland, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith.

Senator Simon moved that the rules be suspended and senate bill No. 104 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Bancroft, Calbreath, Dawson, Patterson, and Raley—5.

So the rules were suspended and senate bill No. 104 was read first time by title only and passed to second reading.

Senate bill No. 105. Senator Brownell. A bill for an act to amend section 2160 of Hill's annotated laws of Oregon, as compiled and annotated by William Lair Hill.

Senator Brownell moved that the rules be suspended and senate bill No. 105 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—25.

Nays—None.

Absent—Senators Calbreath, Dawson, Patterson, Price, and Mr. President—5.

So the rules were suspended and senate bill No. 105 was read first time by title only and passed to second reading.

Senate bill No. 106. Senator Gowan. A bill for an act to amend sections 2273 and 2274 of title II of chapter IV of volume II of the code and general laws of Oregon, as compiled by William Lair Hill, relating to the boundary lines of Marion and adjoining counties.

Senator Gesner moved that the rules be suspended and senate bill No. 106 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—25.

Nays—None.

Absent—Senators Bancroft, Calbreath, Dawson, Patterson, and Mr. President—5.

So the rules were suspended and senate bill No. 106 was read first time by title only and passed to second reading.

Senate bill No. 107. Senator King. A bill for an act to amend sections 3113 and 3114 of Hill's annotated laws of Oregon, relating to the sale of lands by guardians and disposition of proceeds.

Senator King moved that the rules be suspended and that senate bill No. 107 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators McGinn and Huston—2.

So the rules were suspended and senate bill No. 107 was read first time by title only and passed to second reading.

Senate bill No. 108. Senator Maxwell. A bill for an act to amend section 3558 of Hill's annotated laws of Oregon, relating to the examination and commitment of insane persons.

Senator Maxwell moved that the rules be suspended and that senate bill No. 108 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 108 was read first time by title only and passed to second reading.

Senate bill No. 109. Senator Hobson. A bill for an act for the better enforcement of judgments and decrees.

Senate bill No. 109 was read first time and passed to second reading without question.

Senate bill No. 110. Senator Gowan. A bill for an act providing for the trial of crimes upon information, what they shall contain, and procedure thereon.

Senator Gowan moved that the rules be suspended and that senate bill No. 110 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt,

Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Huston—1.

So the rules were suspended and senate bill No. 110 was read first time by title only and passed to second reading.

Senate bill No. 111. Senator Carter. A bill for an act to repeal section 139 of chapter XI, and section 182 of chapter XIV, of an act entitled "An act to incorporate the city of Corvallis, and to define its powers and liabilities, in Benton county, state of Oregon, and to repeal certain acts therein specified," filed in the office of the secretary of state February 18, 1891, and to repeal subdivisions 2, 3, and 4 of section 37 of chapter V of said act, and to amend section 177 of chapter XIV of said act as amended by an act entitled "An act to amend sections 30 and 37 of chapter V, and section 94 of chapter X, and section 155 of chapter XIII, and section 177 of chapter XIV, of an act entitled an act to incorporate the city of Corvallis, and to define its powers and liabilities, in Benton county, state of Oregon, and to repeal certain acts therein specified," filed in the office of secretary of state February 18, 1891, filed in the office of secretary of state February 13, 1893.

Senator Carter moved that the rules be suspended and that senate bill No. 111 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 111 was read first time by title only and passed to second reading.

Senate bill No. 112. Senator Cogswell. A bill for an act to require the superintendent of the insane asylum to report to the county court of the county from which any person is committed, the discharge or death of such person, and the cause thereof.

Senate bill No. 112 was read first time and passed to second reading without question.

Senate bill No. 113. Senator Patterson. A bill for an act to make all streets and alleys in unincorporated towns in this state public highways.

Senate bill No. 113 was read first time and passed to second reading without question.

Unanimous consent having first been obtained, Senator Denny introduced senate resolution No. 10.

SENATE RESOLUTION NO. 10.

*Resolved*, That the president of the senate appoint a committee of three to consider and report upon the following extract from Governor Lord's comprehensive and able message: "It is never wise for the state to buy an enterprise which prudent men are anxious to get rid of. There is an impression among some of our people that the purchase of the foundry plant and operation with convict labor has not been productive of profit or advantage to the state. The idea prevalent is that 'an elephant' was unloaded upon the state. I trust there is no foundation for such impression, but that the facts will disclose that the foundry plant has been successfully and profitably operated, and furnishing regular employment for the convicts and making the penitentiary in a great measure a self-sustaining institution. It is your duty to ascertain what is the true state of the case," etc. That the committee be empowered to send for persons and papers and that they report as soon as possible.

On motion of Senator Denny, the resolution was adopted.

Unanimous consent having been first obtained, Senator Alley introduced senate resolution No. 11.

SENATE RESOLUTION NO. 11.

*Resolved*, That a special committee of three be appointed, whose duty it shall be, in connection with the regular committee of the house, to examine into the condition of the state library, and report the requirements of the same.

On motion of Senator Alley, the resolution was adopted.

Senate bill No. 114. Senator Steiwer. A bill for an act entitled "An act to amend section 2188 of chapter I, title I of the laws of Oregon, volume II," as compiled and annotated by W. Lair Hill.

Senator Steiwer moved that the rules be suspended and that senate bill No. 114 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 114 was read first time by title only and passed to second reading.

## JOURNAL OF THE SENATE.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 2, authorizing the secretary of state to purchase ninety volumes of the second edition of Hill's annotated code of Oregon for the use of the members of this legislature.

And the same is herewith transmitted to you for enrollment.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 17, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 41,—a bill for an act authorizing certain school districts to borrow money.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

The following communication was received from the Honorable the Secretary of State:—

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
 SALEM, Oregon, }  
 January 18, 1895. }

*To the Honorable the President of the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to deliver to the senate a printed report of the board of railroad commissioners, which was transmitted to this office January 7, 1895, to be laid before the present session of the legislative assembly, as provided by law.

I have the honor to be, very respectfully, your obedient servant,

H. R. KINCAID,  
 Secretary of State.



The following communication was received from the Honorable the Secretary of State:—

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
January 18, 1895. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to return to the senate, senate bill No. 55, of the seventeenth biennial session of the legislative assembly, which was filed in this office February 22, 1893, together with the objections of the governor thereto.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of State.

On motion of Senator Cogswell, the communication and bill were laid on the table.

Senate bill No. 115. Senator Steiwer. A bill for an act to amend an act entitled "An act to amend section 18 of an act to incorporate the town of Fossil, in Gilliam county, Oregon," filed in the office of the secretary of state February 19, 1891.

Senator Steiwer moved that the rules be suspended and that senate bill No. 115 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 115 was read first time by title only and passed to second reading.

Senate bill No. 116. Senator Smith of Clatsop. A bill for an act to amend sections 959 and 960 of title III of chapter XII of the code of civil procedure of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Smith of Clatsop moved that the rules be suspended and that senate bill No. 116 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, John-

son, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Cogswell—2.

So the rules were suspended and senate bill No. 116 was read first time by title only and passed to second reading.

Senate bill No. 117. Senator Calbreath. A bill for an act to amend sections 3175, 3176, and 3186 of Hill's annotated laws of Oregon, relating to assignments for the benefit of creditors.

Senator Calbreath moved that the rules be suspended and that senate bill No. 117 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Cogswell—2.

So the rules were suspended and senate bill No. 117 was read first time by title only and passed to second reading.

Senate bill No. 118. Senator Gesner. A bill for an act to provide for the sale and conveying of any island belonging to the state of Oregon.

Senator Gesner moved that the rules be suspended and that senate bill No. 118 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Cogswell, Denny, and Gesner—4.

So the rules were suspended and senate bill No. 118 was read first time by title only and passed to second reading.

Senate bill No. 119. Senator Patterson. A bill for an act entitled an act to provide that all persons who bring action or proceedings against executors, administrators, or minor heirs in any court of this state shall execute an undertaking for all costs and disbursements in such action, suit, or proceeding.

Senate bill No. 119 was read first time and passed to second reading without question.

Senate bill No. 120. Senator Gowan. A bill for an act to amend sections 1210 and 1230 of the criminal code, as revised and annotated by W. Lair Hill.

Senator Gowan moved that the rules be suspended and that senate bill No. 120 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Denny—2.

So the rules were suspended and senate bill No. 120 was read first time by title only and passed to second reading.

On motion of Senator Cogswell, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

TUESDAY, JANUARY 22, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1895. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll was called, and all the senators were present.

The senate was opened with prayer by Rev. Mr. Rugg.

On motion of Senator Cogswell, the courtesies of the senate were extended to Hon. Geo. H. Williams, and he was invited to a seat within the bar.

On motion of Senator Maxwell, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Denny moved that the senate now proceed to vote for a United States senator to succeed the Hon. Joseph N. Dolph, whose term of office as United States senator expires March 4, 1895.

The motion prevailed.

Senator Brownell placed in nomination the Hon. Joseph N. Dolph.

Senator Huston placed in nomination the Hon. A. S. Bennett.

Senator Holt placed in nomination the Hon. Wm. D. Hare.

There being no further nominations, the roll was called.

Those voting for Hon. Joseph N. Dolph were: Senators Alley, Bancroft, Brownell, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—19.

Those voting for Hon. A. S. Bennett were: Senators Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Senators Holt, King, and Vanderburg—3.

The Hon. Joseph N. Dolph was declared the choice of the senate for United States senator from Oregon for the term of six years from the fourth day of March, 1895.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 41, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

On motion of Senator Cogswell, the courtesies of the senate were extended to ex-Senator C. M. Cartwright, and he was invited to a seat within the bar.

The president announced the following committee under senate resolution No. 10: Senators Denny, Steiwer, and Cogswell.

Senate bill No. 121. Senator Maxwell. A bill for an act to repeal section 2575 of Hill's annotated laws of Oregon, as amended by an act approved February 25, 1889, as amended by an act filed in the office of the secretary of state February 21, 1893; to repeal sections 2576 and 2577 of said laws of Oregon, as amended by an act approved February 25, 1889, and to provide for the selection of school books for use in the public schools of the state, and for the enforcement of the use of the same.

Senator Maxwell moved that the rules be suspended and that senate bill No. 121 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

• • • • •

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Vanderburg—1.

So the rules were suspended and senate bill No. 121 was read first time by title only and passed to second reading.

Senate bill No. 122. Senator Bancroft. A bill for an act entitled "An act to authorize and empower corporations incorporated for the purpose of executing trust and acting in judiciary capacities to act as executors, administrators, guardians, receivers, and assignees for the benefit of creditors."

Senator Bancroft moved that the rules be suspended and that senate bill No. 122 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 122 was read first time by title only and passed to second reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 41,—a bill for an act for an appropriation of forty thousand dollars to pay expenses of this legislature.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bill No. 41, and soon thereafter declared that he had signed the same.

Senate bill No. 123. Senator Holt. A bill for an act to amend section 7 of an act to provide a state board of equalization, to prescribe the manner of its creation and its powers and duties, passed by the legislative assembly of the state of Oregon at its sixteenth regular session.

Senate bill No. 123 was read first time and passed to second reading without question.

Senate bill No. 124. Senator Denny. A bill for an act to amend an act to create and establish a board of railroad commissioners, and to define and regulate its powers and duties, and to fix the compensation of its members, approved February 18, 1887, and to amend an act entitled an act to create and establish a board of railroad commissioners, and to define and regulate its powers and define its duties, and to fix the compensation of its members, approved February 18, 1887, and being chapter LXXIII of the general laws of Oregon, as compiled by William Lair Hill, filed in the office of the secretary of state February 20, 1889; and sections 3, 5, and 7 of said act, February 18, 1887, being sections 4004, 4005, 4006, and 4008 of Hill's annotated laws of Oregon.

Senate bill No. 124 was read first time and passed to second reading without question.

Senate bill No. 125. Senator Holt. A bill for an act to create the office of state assessor, to prescribe his powers and duties, manner and time of his election, and to provide for his compensation; to abolish the state board of Equalization as now constituted, and impose its powers and duties on the governor, secretary of state, and state assessor; to amend sections 1, 8, 9, and 10, and repeal sections 2, 3, 4, 5, and 6 of an act entitled an act to provide a state board of equalization, to prescribe the manner of its creation and its powers and duties, filed in the office of the secretary of state February 21, 1891.

Senator Holt moved that the rules be suspended and that senate bill No. 125 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 125 was read first time by title only and passed to second reading.

Senate bill No. 126. Senator Calbreath. A bill for an act to assist agricultural fair societies in the several counties of the state of Oregon, and regulating the conduct thereof, and providing for a tax to assist the same; and providing for the disposal of the funds raised by such tax when no such society is organized or such fair is held in a county; and to repeal an act entitled "An act to create and aid eastern Oregon district agricultural societies, and to define their duties and appropriate money there-

for," approved February 20, 1889; and to repeal an act entitled "An act to create a southern Oregon state board of agriculture, and to define their duties and to appropriate money therefor," approved February 25, 1889.

Senator Calbreath moved that the rules be suspended and that senate bill No. 126 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 126 was read first time by title only and passed to second reading.

Senate bill No. 127. Senator Huston. A bill for an act fixing the salaries of the district attorneys of the several judicial districts of this state, authorizing the appointment of deputies by them, fixing the salaries of said deputies, providing for the manner and time of payment of the salaries of the district attorneys and of their deputies, and for a method of ascertaining such mileage as they may earn and the manner of payment thereof; for the amendment of section 984, chapter XV, title I of the general laws of Oregon, as amended by an act approved February 20, 1891; for the amendment of section 2168 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, and for the repeal of sections 1073, 1074, 2166, 2167, 2304, and 2381 of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Huston moved that the rules be suspended and that senate bill No. 127 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 127 was read first time by title only and passed to second reading.

Senate bill No. 128. Senator Huston. A bill for an act to amend sections 971 and 972, chapter XIII, title V of Hill's annotated laws of Oregon.

Senator Huston moved that the rules be suspended and that senate bill No. 128 be read first time by title only.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 128 was read first time by title only and passed to second reading.

Senate bill No. 129. Senator Calbreath. A bill for an act to amend section 1180 of title VII of chapter XV of Hill's annotated laws of Oregon, compiled by Wm. Lair Hill, relating to the compensation of executors and administrators.

Senator Calbreath moved that the rules be suspended and that senate bill No. 129 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Woodard—2.

So the rules were suspended and senate bill No. 128 was read first time by title only and passed to second reading.

Senate bill No. 130. Senator Smith of Clatsop. A bill for an act for the protection of persons furnishing material and labor for the construction of public works.

Senate bill No. 130 was read first time and passed to second reading without question.

Senate bill No. 131. Senator Huston. A bill for an act to provide for the conveyance of real property by deed or mortgage when the husband or wife of the owner thereof is insane.

Senator Huston moved that the rules be suspended and that senate bill No. 131 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Dawson, and Denny—3.

So the rules were suspended and senate bill No. 131 was read first time by title only and passed to second reading.

Senate bill No. 132. Senator McClung. A bill for an act to amend section 1074, chapter XIV, title VIII of Hill's annotated laws of Oregon of 1887.

Senate bill No. 132 was read first time and passed to second reading without question.

Senate bill No. 133. Senator McClung. A bill for an act to repeal subdivision 6 of section 1073 of Hill's annotated laws of Oregon of 1887.

Senate bill No. 133 was read first time and passed to second reading without question.

Senator Bancroft introduced senate concurrent resolution No. 13.

#### SENATE CONCURRENT RESOLUTION NO. 13.

*Resolved by the Senate, the House concurring,* That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books of the superintendent, and inquire into the management of the Oregon insane asylum, and also to inquire into certain scandalous reports regarding the same. The said committee shall be authorized to employ one expert at seven dollars and fifty cents per day, and one clerk at five dollars, for a time not to exceed ten days.

On motion of Senator Bancroft, the resolution was adopted.

On motion of Senator Maxwell, house concurrent resolution No. 3 was taken from the table.

On motion of Senator Maxwell, the senate concurred in house concurrent resolution No. 3.

Senate bill No. 134. Senator Carter. A bill for an act to prevent the production and sale of unwholesome foods and medicines, and to regulate sales of adulterated foods, drinks, and medicines.

Senator Carter moved that the rules be suspended and that senate bill No. 134 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Denny, and King—3.

So the rules were suspended and senate bill No. 134 was read first time by title only and passed to second reading.

On motion of Senator Cogswell, senate bill No. 55 of the seventeenth biennial session, together with the governor's veto thereto, was taken from the table.

On motion of Senator Cogswell, the bill was referred to the committee on revision of laws.

Senate bill No. 1 coming on for second reading, Senator McGinn moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, King, and Woodard—3.

So the rules were suspended and senate bill No. 1 was read second time by title only.

On motion of Senator McGinn, senate bill No. 1 was referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 2 coming on for second reading, was read second time.

On motion of Senator Johnson, senate bill No. 2 was referred to the committee on penal institutions.

Senate bill No. 3 coming on for second reading, Senator Bancroft moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and King—2.

So the rules were suspended and senate bill No. 3 was read second time by title only.

On motion of Senator Bancroft, senate bill No. 3 was referred to the committee on judiciary.

Senate bill No. 4 coming on for second reading, was read second time.

On motion of Senator Maxwell, senate bill No. 4 was referred to the committee on judiciary.

Senate bill No. 5 coming on for second reading, was read second time.

On motion of Senator Cogswell, senate bill No. 5 was referred to the committee on judiciary.

Senate bill No. 6 coming on for second reading, was read second time.

On motion of Senator Dawson, senate bill No. 6 was referred to the committee on assessment and taxation.

Senate bill No. 7 coming on for second reading, was read second time.

On motion of Senator Steiwer, senate bill No. 7 was referred to the committee on judiciary.

Senate bill No. 8 coming on for second reading, was read second time.

On motion of Senator McClung, senate bill No. 8 was referred to the committee on municipal corporations.

Senate bill No. 9 coming on for second reading, was read second time.

On motion of Senator Woodard, senate bill No. 9 was referred to the committee on medicine, pharmacy, and dentistry.

Senate bill No. 10 coming on for second reading, Senator Carter moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Denny, and King—3.

So the rules were suspended and senate bill No. 10 was read second time by title only.

On motion of Senator Carter, senate bill No. 10 was referred to the committee on agriculture and forestry.

Senate bill No. 11 coming on for second reading, Senator Patterson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Butler, Denny, Gesner, and Huston—4.

So the rules were suspended and senate bill No. 11 was read second time by title only.

On motion of Senator Patterson, senate bill No. 11 was referred to the committee on insurance and banking.

Senator McGinn moved that all bills be referred by the president to their appropriate committees, unless objections be urged.

The motion prevailed.

Senate bill No. 12 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Denny, Gesner, and McClung—3.

So the rules were suspended and senate bill No. 12 was read second time by title only.

On motion of Senator Calbreath, senate bill No. 12 was referred to the committee on horticulture.

Senate bill No. 13 coming on for second reading, was read second time.

Senate bill No. 13 was referred to the committee on education.

Senate bill No. 14 coming on for second reading, was read second time.

Senate bill No. 14 was referred to the committee on roads and highways.

Senate bill No. 15 coming on for second reading, Senator Bancroft moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Cogswell, and Denny—3.

So the rules were suspended and senate bill No. 15 was read second time by title only.

Senate bill No. 15 was referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 16 coming on for second reading, was read second time.

Senate bill No. 16 was referred to the committee on assessment and taxation.

Senate bill No. 17 coming on for second reading, was read second time.

Senate bill No. 17 was referred to the committee on assessment and taxation.

Senate bill No. 18 coming on for second reading, was read second time.

Senate bill No. 18 was referred to the committee on fishing industries.

On motion of Senator Raley, the senate adjourned until 2 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1895. }

The senate was called to order by the president, pursuant to adjournment, at 2 o'clock p. m.

The roll of the senate was called, and all the senators were present except Senators Huston and Vanderburg.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate concurrent resolution No. 9, with the following amendments: That the words "and additional clerical aid, if required," be stricken out, and there be inserted, "the clerical aid shall be furnished by the clerks upon the standing committees on printing in senate and house," in lieu thereof, "and that the compensation of the expert book and news printers be not to exceed seven dollars and fifty cents for each of them per day during the actual time employed."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Maxwell, the senate concurred in the amendments.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate concurrent resolution No. 4, amended as follows: That the words "necessary clerical aid" be stricken out, and the words "to employ not more than two expert accountants, at a compensation not to exceed seven dollars and fifty cents each per day for the time actually employed, and two clerks at a compensation not to exceed five dollars each per day for the time actually employed," be inserted in lieu thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Denny, the senate concurred in the amendment.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed, under house concurrent resolution No. 11, providing for a joint committee to submit a joint memorial to the United States congress on the subject of foreign immigration, the following on the part of the house: Messrs. Burke, Patterson, and Calvert.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



TUESDAY, JANUARY 22, 1895.

111

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed Messrs. Cleeton, Smith of Linn, and Stanley under house concurrent resolution No. 3, to appoint a committee to examine the accounts of the board of commissioners for sale of school and university lands.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed Messrs. Lester, McCracken, and Wright as the committee on the part of the house, under house joint resolution No. 1, providing for a committee of three on the part of the house and two on the part of the senate, to draft a memorial to the United States congress for the government to construct the Nicaragua canal.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 16, providing for the appointment of a joint committee to investigate the state institutions and offices, limiting their time to report, the number of experts and clerks, and limiting their compensation.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 16.

*Be it resolved by the House, the Senate concurring,* That a joint committee of the senate and house be appointed to examine the state offices and penal and reformatory institutions for which it is necessary to employ clerical aid, and the following shall be the number of clerks and experts to which each special committee appointed shall be entitled: Secretary of state, two experts and two clerks; state treasurer, two experts and two clerks; state printer, two experts—the clerical work to be performed by the house and senate committee on printing without extra compensation. The special committee to investigate the office of secretary of state, state treasurer, and state printer shall report to the senate and house of representatives within twenty days from the passage by the two houses of this joint resolution. The state insane asylum committee shall be entitled to one expert and one clerk; penitentiary, one expert and no clerk; reform school, deaf-mute, and blind schools, one clerk. The committee on the insane asylum, penitentiary, and reform school shall each have ten days in which to make their examination, and report to the senate and house, respectively.

*Be it further resolved,* That experts shall be allowed seven dollars and fifty cents per day for each day actually employed, and the clerks five dollars per day for each day actually employed on special committee work, and that no compensation shall be allowed to any expert or clerk on the committee to examine the secretary of state, state treasurer, and state printer's offices greater than twenty days' time, and that no compensation shall be allowed any clerk or expert on the insane asylum, penitentiary, or reform school committees for a period greater than ten days.

On motion of Senator Denny, house concurrent resolution No. 16 was referred to a special committee.

The president appointed on the committee Senators Denny, Brownell, and Smith of Sherman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 10, amended to read as follows: That the house standing committee on military affairs and the senate standing committee on military affairs be and are hereby constituted a joint committee to investigate the books and

accounts of the military board, the adjutant-general's office, and that the clerical work be performed by the regular clerks of the standing committees on military affairs in the house and senate.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Gowan, house concurrent resolution No. 10 was referred to the committee on military affairs.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 15, with the following amendment: Inserting after the words "reform school," the words "deaf-mute school and the institute for the blind."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 15.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to make a thorough investigation of the manner of conducting the state reform school, and report the same to the legislature at the earliest possible moment.

On motion of Senator Alley, house concurrent resolution No. 15 was referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 5, with the following amendment: That the words "necessary clerical aid" be stricken out and there be inserted the words "two expert accountants and two clerks" in lieu thereof; "that the compensation of the two

experts accountants shall not be in excess of seven dollars and fifty cents per day for each day actually employed, and the compensation of the two clerks shall not be in excess of five dollars each per day for each day actually employed."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 5.

*Resolved by the House, the Senate concurring,* That a committee, consisting of three on the part of the house and two on the part of the senate be appointed to examine the books and accounts of the state treasurer, with power to employ two expert accountants and two clerks; that the compensation of the two expert accountants shall not be in excess of seven dollars and fifty cents per day for each day actually employed, and the compensation of the two clerks shall not be in excess of five dollars each per day for each day actually employed.

On motion of Senator Bancroft, the senate concurred in house concurrent resolution No. 5.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 9, with the following amendments: That the word "three" be stricken out and the word "two" be inserted in lieu thereof, and that the word "two" be stricken out and the word "one" be inserted in lieu thereof; and after the words "normal school" the words "at Weston and Monmouth."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 9.

*Resolved by the House, the Senate concurring,* That a committee of two on the part of the house and one on the part of the senate be appointed to visit the state university, the state normal school at Weston and Monmouth, and the agricultural college at Corvallis, and report the results of their investigation.

On motion of Senator Johnson, the senate concurred in house concurrent resolution No. 9.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, OREGON, }  
January 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 6, with the following amendments: That the words "necessary clerical aid" be stricken out and that there be inserted the words "one expert accountant, whose compensation shall not exceed seven dollars and fifty cents per day for each day actually employed, and one clerk at a compensation not to exceed five dollars per day for each day actually employed."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to examine the books and accounts and management of the state penitentiary, with power to employ one expert accountant, whose compensation shall not exceed seven dollars and fifty cents per day for each day actually employed, and one clerk at a compensation not to exceed five dollars per day for each day actually employed, and report immediately.

On motion of Senator Johnson, the senate concurred in house concurrent resolution No. 6.

Senate bill No. 135. Senator Raley. (By unanimous consent.) A bill for an act authorizing certain corporations to appropriate lands for railroads, skidroads, tramways, and flumes for corporate purposes, declaring the same to be for the public benefit, and requiring such corporations to afford all persons equal facilities in the use thereof upon reasonable compensation paid or tendered.

Senator Raley moved that the rules be suspended and that senate bill No. 135 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, King, Maxwell,

McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Butler, Denny, Huston, Johnson, and Patterson—5.

So the rules were suspended and senate bill No. 135 was read first time by title only and passed to second reading.

Senator Brownell introduced senate joint memorial No. 2.

#### SENATE JOINT MEMORIAL NO. 2.

MEMORIAL TO THE CONGRESS OF THE UNITED STATES, PRAYING FOR THE PASSAGE OF AN ACT OF CONGRESS GRANTING A PENSION TO MRS. MARGARET C. M'KAY, WIDOW OF THE LATE DR. WM. C. M'KAY OF PENDLETON, OREGON.

Whereas, Dr. Wm. C. McKay, late of Pendleton, Oregon, was in 1851, instrumental in securing the surrender of the Indian murderers of Dr. Whitman; and, whereas, at the trial of said murderers at Oregon City the Indian chiefs present invited Dr. McKay to establish a trading-post in their country, which he did near the site of the present city of Pendleton, Oregon, said post became a rendezvous of traders and travelers and was a powerful factor in restraining the restless tribes of the northwest; and, whereas, in June, 1855, Dr. McKay was secretary in behalf of the United States at the great Walla Walla council called by General I. I. Stevens, General Joe Palmer, and others, and was instrumental in securing a cession of Indian lands; and, whereas, in the autumn of 1855 the sudden influx of whites into the Indian country brought on a war in which the Indians singled out Dr. McKay as a fitting object for their revenge, and totally destroyed his post and property; and, whereas, Dr. McKay was a prominent scout in the war of 1855 and 1856, and his services were of extraordinary value to the commanding generals, who were unacquainted with Indian methods of warfare; and, whereas, in the fall of 1856, Dr. McKay acted as guide for the expeditions of Generals Wright and Steptoe, and it was at his suggestion that the site for Fort Walla Walla was selected and a garrison established there; and, whereas, in 1866, the Snakes began to commit depredations, massacreing settlers and cutting off supply-trains, and by act of the Oregon legislature Dr. McKay was asked to organize a company of Warm Spring Indian scouts to take the field against the hostile Snakes, which he did, and the doctor and his company were sworn into the United States service in October, 1866, entering the field in midwinter. In one year's

time the Snakes and Piutes sued for peace, openly attributing their defeat to McKay and his scouts. The amount of life and property saved to the whites by the doctor's heroism in this hazardous campaign is beyond estimate; and, whereas, the doctor did, during his lifetime, try to secure compensation for his losses, but unsuccessfully; and, whereas, though of mixed blood, he was always a friend and helper to the whites; and, whereas, Margaret C. McKay, the widow of said William C. McKay, is a cripple, in old age and straightened circumstances; wherefore, in view of these many and valuable services to early Oregon;

*Be it resolved by the Senate of the State of Oregon, the House of Representatives concurring,* That our representatives and senators in congress be and they are hereby requested to exert their influence to secure the passage by congress of an act granting a suitable and adequate pension to said Margaret C. McKay, widow of said Wm. C. McKay.

On motion of Senator Brownell, senate joint memorial No. 2 was referred to the committee on federal relations, and the clerk directed to have the same printed.

Senate bill No. 19 coming on for second reading, Senator McGinn moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:.

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith, of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Butler, Huston, King, McAlister, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 19 was read second time by title only.

Senate bill No. 19 was referred to the committee on insurance and banking.

Senate bill No. 20 coming on for second reading, was read second time.

Senate bill No. 20 was referred to the committee on judiciary.

Senate bill No. 21 coming on for second reading, was read second time.

Senate bill No. 21 was referred to the committee on judiciary.

Senate bill No. 22 coming on for second reading, was read second time.

Senate bill No. 22 was referred to the committee on revision of laws.



Senate bill No. 23 coming on for second reading, was read second time.

Senate bill No. 23 was referred to the committee on judiciary.

Senate bill No. 24 coming on for second reading, was read second time.

Senate bill No. 24 was referred to the committee on judiciary.

Senate bill No. 25 coming on for second reading, Senator McAlister moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Butler, Cogswell, Huston, King, McAlister, McGinn, Patterson, and Vanderburg—8.

So the rules were suspended and senate bill No. 25 was read second time by title only.

Senate bill No. 25 was referred to the committee on revision of laws.

Senate bill No. 26 coming on for second reading, was read second time.

Senate bill No. 26 was referred to the committee on judiciary.

Senate bill No. 27 coming on for second reading, was read second time.

Senate bill No. 27 was referred to the committee on revision of laws.

Senate bill No. 28 coming on for second reading, was read second time.

Senate bill No. 28 was referred to the committee on judiciary.

Senate bill No. 29 coming on for second reading, was read second time.

Senate bill No. 29 was referred to the committee on roads and highways.

Senate bill No. 30 coming on for second reading, was read second time.

Senate bill No. 30 was referred to the committee on assessment and taxation.

Senate bill No. 31 coming on for second reading, was read second time.

Senate bill No. 31 was referred to the committee on revision of laws.

Senator Gowan introduced senate concurrent resolution No. 14.

## SENATE CONCURRENT RESOLUTION NO. 14.

*Resolved by the Senate, the House concurring,* That the military committee of the senate and house be directed to investigate the records, books and papers, acts and doings of the military board, adjutant-general's office, and of any officer of the national guard of Oregon, and report upon the same to this legislature with any recommendations for reducing the expense of the national guard, and for this purpose they are hereby authorized to employ such clerical assistance as may be necessary.

On motion of Senator Gowan, the resolution was adopted.

Senate bill No. 32 coming on for second reading, was read second time.

Senate bill No. 32 was referred to the committee on railways.

Senate bill No. 33 coming on for second reading, was read second time.

Senate bill No. 33 was referred to the committee on revision of laws.

Senate bill No. 34 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Cogswell, Huston, Johnson, King, Smith of Clatsop, and McAlister—6.

So the rules were suspended and senate bill No. 34 was read second time by title only.

Senate bill No. 34 was referred to the committee on public lands.

Senate bill No. 35 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Maxwell, McClung, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Cogswell, Huston, Johnson, King, McAlister, McGinn, and Smith of Clatsop—7.

So the rules were suspended and senate bill No. 35 was read second time by title only.

Senate bill No. 35 was referred to the committee on railways, with leave to report at any time.

Senate bill No. 36 coming on for second reading, was read second time.

Senate bill No. 36 was referred to the committee on assessment and taxation.

Senate bill No. 37 coming on for second reading, Senator Smith of Clatsop moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Maxwell, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Huston, Johnson, King, McAlister, McGinn, and Price—6.

So the rules were suspended and senate bill No. 37 was read second time by title only.

Senate bill No. 37 was referred to the committee on municipal corporations.

Senate bill No. 136. Senator McGinn. (By unanimous consent.) A bill for an act to fix the compensation of the governor, justices of the supreme court, secretary of state, state treasurer, state printer, attorney-general, and superintendent of public instruction, and the clerk of the supreme court and reporter of the supreme court, and to provide a fund for the payment of the same.

Senator McGinn moved that the rules be suspended and senate bill No. 139 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Beckley, Denny, Huston, Johnson, King, and McAlister—7.

So the rules were suspended and senate bill No. 136 was read first time by title only and passed to second reading.

Senate bill No. 38 coming on for second reading, was read second time.

Senate bill No. 38 was referred to the committee on counties.

Senate bill No. 39 coming on for second reading, Senator Raley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Alley, Bancroft, Holt, Huston, Johnson, King, and McAlister—7.

So the rules were suspended and senate bill No. 38 was read second time by title only.

Senate bill No. 39 was referred to the committee on revision of laws.

Senate bill No. 40 coming on for second reading, Senator McGinn moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Johnson, McAlister, Raley, and Vanderburg—4.

So the rules were suspended and senate bill No. 40 was read second time by title only.

On motion of Senator McGinn, senate bill No. 40 was referred to the committee on revision of laws.

Senate bill No. 42 coming on for second reading, was read second time.

Senate bill No. 42 was referred to the committee on military affairs.

Senate bill No. 43 coming on for second reading, Senator Carter moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Raley, and Smith of Sherman—3.

So the rules were suspended and senate bill No. 43 was read second time by title only.

Senate bill No. 43 was referred to the committee on agriculture and forestry.

Senate bill No. 44 coming on for second reading, Senator Brownell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 44 was read second time by title only.

Senate bill No. 44 was referred to the committee on railways.

Senate bill No. 45 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Carter—2.

So the rules were suspended and senate bill No. 45 was read second time by title only.

Senate bill No. 45 was referred to a select committee, consisting of the senators from the sixth judicial district.

Senate bill No. 46 coming on for second reading, Senator Maxwell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter,

Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays—None.

Absent—Senator Alley — 1.

So the rules were suspended and senate bill No. 46 was read second time by title only.

Senate bill No. 46 was referred to the committee on claims.

Senator Denny moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 47 coming on for second reading, was read second time.

Senate bill No. 47 was referred to the committee on assessments and taxation.

Senate bill No. 48 coming on for second reading, was read second time.

Senate bill No. 48 was referred to the committee on judiciary.

Senate bill No. 49 coming on for second reading, was read second time.

Senate bill No. 49 was referred to the committee on fishing industries.

Senate bill No. 50 coming on for second reading, Senator Raley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays—None.

Absent—Senator Denny — 1.

So the rules were suspended and senate bill No. 50 was read second time by title only.

On motion of Senator Huston, senate bill No. 50 was referred to the committee on horticulture.

Senate bill No. 51 coming on for second reading, Senator Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price,

Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Denny, and King—3.

So the rules were suspended and senate bill No. 51 was read second time by title only.

On motion of Senator Huston, senate bill No. 51 was referred to the committee on municipal corporations.

Senate bill No. 52 coming on for second reading, Senator McClung moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and McGinn—2.

So the rules were suspended and senate bill No. 52 was read second time by title only.

Senate bill No. 52 was referred to the committee on insurance and banking.

Senate bill No. 53 coming on for second reading, Senator McGinn moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Gesner, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Cogswell, Denny, Gowan, Huston, Smith of Clatsop, and Smith of Sherman—6.

So the rules were suspended and senate bill No. 53 was read second time by title only.

Senate bill No. 53 was referred to the committee on assessment and taxation.

Senate bill No. 54 coming on for second reading, was read second time.

Senate bill No. 54 was referred to the committee on revision of laws.

Senate bill No. 55 coming on for second reading, was read second time.



Senate bill No. 55 was referred to the committee on revision of laws.

Senate bill No. 56 coming on for second reading, Senator McAlister moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Bancroft, Denny, Gowan, King, and Raley—6.

So the rules were suspended and senate bill No. 56 was read second time by title only.

Senate bill No. 56 was referred to the committee on roads and highways.

Senate bill No. 57 coming on for second reading, was read second time.

Senate bill No. 57 was referred to the committee on revision of laws.

Senate bill No. 58 coming on for second reading, Senator Vanderburg moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Gowan and King—2.

So the rules were suspended and senate bill No. 58 was read second time by title only.

Senate bill No. 58 was referred to the committee on judiciary.

Senate bill No. 59 coming on for second reading, Senator Brownell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson,

Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and Gowan—2.

So the rules were suspended and senate bill No. 59 was read second time by title only.

Senate bill No. 59 was referred to the committee on insurance and banking.

Senate bill No. 60 coming on for second reading, Senator McAlister moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 60 was read second time by title only.

Senate bill No. 60 was referred to a select committee consisting of the senators from the sixth judicial district.

Senate bill No. 61 coming on for second reading was read second time.

Senate bill No. 61 was referred to the committee on roads and highways.

On motion of Senator Huston the courtesies of the senate were extended to ex-Senator Tisson, and he was invited to a seat within the bar.

Senate bill No. 62 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 62 was read second time by title only.

Senate bill No. 62 was referred to the committee on counties.

Senate bill No. 63 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 63 was read second time by title only.

Senate bill No. 63 was referred to the committee on municipal corporations.

Senate bill No. 64 coming on for second reading, was read second time.

Senate bill No. 64 was referred to the committee on assessment and taxation.

Senate bill No. 65 coming on for second reading, was read second time.

Senate bill No. 65 was referred to the committee on judiciary.

Senate bill No. 66 coming on for second reading, Senator McGinn moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Price and Raley—2.

So the rules were suspended and senate bill No. 66 was read second time by title only.

Senate bill No. 66 was referred to the committee on revision of laws.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to adopt senate concurrent resolution No. 10, providing for a joint committee to examine the affairs of the military board.

And the same is herewith returned to you.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate concurrent resolution No. 13, providing for a committee of two on the part of the senate and three on the part of the house be appointed to examine the books of the superintendent, inquire into the insane asylum, and limiting clerks and compensation.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to adopt senate concurrent resolution No. 7, providing for a joint committee on the part of the house and senate to investigate the insane asylum.

And the same is herewith returned to you.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in senate resolution No. 5, providing that a committee of two on the part of the senate and three on the part of the house be appointed to examine the board of school land commissioners.

And the same is herewith returned to you.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 17, providing that our representatives in congress be requested to use all honorable means to secure the adoption of an amendment to the constitution of the United State, authorizing the election of United States senators by the direct vote of the people.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 17.

Whereas there is a growing belief among the people that the election of United States senators by the legislatures of the different states is the occasion of much corruption, as well as interference with legislative business; and whereas under the present system it is easy for the money power and corporate interests to defeat for that high office those who refuse to become subservient thereto; and whereas the choice of the poor man, out of money and without employment, is entitled to equal respect with that of any other person; therefore be it

*Resolved*, That our senators and representatives in congress are requested to use all honorable means to secure an adoption of an amendment to the constitution of the United States authorizing the election of United States senators by the direct vote of the people.

*Be it further resolved*, That the secretary of state be and is hereby instructed to forward to each of our senators and representatives at Washington, D. C., a copy of these resolutions.

Senator McGinn moved to refer house concurrent resolution No. 17 to the committee on revision of laws.

The ayes and nays were called for by Senators Huston and Vanderburg.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Maxwell, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—16.

Nays—Senators Beckley, Cogswell, Holt, Huston, Johnson,

King, McAlister, Raley, Smith of Clatsop, Smith of Sherman, and Vanderburg—11.

Absent—Senators Alley, Butler, and McClung—3.

So the motion prevailed.

On motion of Senator Bancroft, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

WEDNESDAY, JANUARY 23, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1895. }

The senate was called to order at 10 o'clock a. m. by the president.

The roll call was called, and all the senators were present except Senators McClung and Smith of Clatsop.

The senate was opened with prayer by the Rev. Mr. Hutchinson of the Presbyterian church.

On motion of Senator Dawson the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 137. Senator Gowan. (By unanimous consent.) A bill for an act entitled an act to establish a graded school in eastern Oregon, and to appropriate money therefor.

Senator Gowan moved that the rules be suspended and senate bill No. 137 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Alley, McClung, and Patterson—3.

So the rules were suspended and senate bill No. 137 was read first time by title only and passed to second reading.

Senate bill No. 138. Senator Vanderburg. (By unanimous consent.) A bill for an act for the relief of certain persons who, through want of notice, inadvertence, or accident, were prevented from complying with the provisions of section 13 of the act of

the legislative assembly of the state of Oregon, filed in the office of the secretary of state February 28, 1889, entitled "An act to regulating the practice of medicine and surgery in the state of Oregon."

Senate bill No. 138 was read first time and passed to second reading without question.

Senator Huston moved that the senate extend to Hon. Frank C. Baker, ex-state printer, a vote of thanks for the engraved letter-heads and envelopes furnished to each member of the senate.

The motion prevailed.

Senate bill No. 139. Senator Butler. (By unanimous consent.) A bill for an act to amend section 196 (194) of title III of chapter II of Hill's annotated laws of Oregon.

Senator Butler moved that the rules be suspended and that senate bill No. 139 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, McClung, and McGinn—3.

So the rules were suspended and senate bill No. 139 was read first time by title only and passed to second reading.

Senate bill No. 140. Senator Butler. (By unanimous consent.) A bill for an act to amend section 7 of an act entitled an act to provide a state board of equalization, to prescribe the manner of its creation and its powers and duties, passed by the legislative assembly of the state of Oregon at its sixteenth regular session.

Senator Butler moved that the rules be suspended and that senate bill No. 140 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Carter—2.

So the rules were suspended and senate bill No. 140 was read first time by title only and passed to second reading.



Upon unanimous consent being given, Senator McClung introduced senate resolution No. 12.

#### SENATE RESOLUTION NO. 12.

*Resolved*, That the Secretary of State be and he is hereby requested to deliver to the president of the senate, senate joint resolutions Nos. 4 and 13 of the seventeenth biennial session of the legislative assembly of the state of Oregon, which were duly passed by both houses at said session and were enrolled and signed by the president of the senate and the speaker of the house.

On motion of Senator McClung, the resolution was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 24, amending the charter of Woodburn.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senator Patterson moved that the rules be suspended and that house bill No. 24 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators King and Maxwell—2.

So the rules were suspended and house bill No. 24 was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that house bill No. 24 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter,

Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, McGinn, and Patterson—3.

So the rules were suspended and house bill No. 24 was read second time by title only.

House bill No. 24 was referred to a select committee, consisting of the senators from Marion county.

Senate bill No. 67 coming on for second reading, was read second time.

Senate bill No. 67 was referred to the committee on railroads.

Senate bill No. 68 coming on for second reading, Senator Smith of Sherman moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Butler, and Johnson—3.

So the rules were suspended and senate bill No. 68 was read second time by title only.

On motion of Senator Smith of Sherman, senate bill No. 68 was referred to the committee on commerce and navigation.

On motion of Senator Bancroft, the courtesies of the senate were extended to ex-Senator G. E. Hayes, and he was invited to a seat within the bar.

Senate bill No. 69 coming on for second reading, Senator Vanderburg moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Johnson—2.

So the rules were suspended and senate bill No. 69 was read second time by title only.

Senate bill No. 69 was referred to the committee on assessment and taxation.

Senate bill No. 70 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—27.

Nays—None.

Absent—Senators Johnson, King, and Woodard—3.

So the rules were suspended and senate bill No. 70 was read second time by title only.

Senate bill No. 70 was referred to the committee on military affairs.

Senate bill No. 71 coming on for second reading, Senator Smith of Clatsop moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, King, and Raley—3.

So the rules were suspended and senate bill No. 71 was read second time by title only.

Senate bill No. 71 was referred to the committee on fishing industries.

Senate bill No. 72 coming on for second reading, was read time.

Senate bill No. 72 was referred to the committee on judiciary.

Senate bill No. 73 coming on for second reading, Senator Dawson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price,

Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—27.

Nays—None.

Absent—Senators Alley, King, and Woodard—3.

So the rules were suspended and senate bill No. 73 was read second time by title only.

Senate bill No. 73 was referred to the committee on assessment and taxation.

Senate bill No. 74 coming on for second reading, Senator Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and King—2.

So the rules were suspended and senate bill No. 74 was read second time by title only.

Senate bill No. 74 was referred to the committee on medicine, pharmacy, and denistry.

Senate bill No. 75 coming on for second reading, Senator Patterson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, King, and Price—3.

So the rules were suspended and senate bill No. 75 was read second time by title only.

Senate bill No. 75 was referred to the committee on assessment and taxation.

Senate bill No. 76 coming on for second reading, was read second time.

Senate bill No. 76 was referred to the committee on judiciary.

Senate bill No. 77 coming on for second reading, was read second time.

Senate bill No. 77 was referred to the committee on judiciary.

Senate bill No. 78 coming on for second reading, was read second time.

Senate bill No. 78 was referred to the committee on judiciary.

The following communication was received from the Honorable the Secretary of State:—

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
January 23, 1895. }

*To the Honorable the President of the Senate of the Legislative Assembly of the State of Oregon:*

SIR: I have the honor, in compliance with senate resolution No. 12, to deliver to you senate joint resolution No. 13 of the seventeenth biennial session of the legislative assembly of the state of Oregon, which passed both houses of said assembly at said session, and was enrolled and signed by the president of the senate and the speaker of the house.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of State.

SENATE JOINT RESOLUTION NO. 13.

*Be it resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon, in lieu of section 10 of article VII (seven), be and the same is hereby proposed, to wit:

Section 10. The legislative assembly may provide for the election of supreme and circuit judges in distinct classes, one of which classes shall consist of five (5) justices of the supreme court, who shall not perform circuit duty; and the other class shall consist of as many circuit judges as may be deemed necessary, who shall hold full terms, without allotment, and who shall take the same oath as the supreme judges. The legislative assembly may create as many circuits as may be necessary.

Adopted by the senate February 15, 1893.

C. W. FULTON,  
President of the senate.

Concurred in by the house February 15, 1893.

W. P. KEADY,  
Speaker of the house.

On motion of Senator Bancroft, the resolution was referred to the committee on judiciary, with leave to report at any time, and with instruction to have the same printed.

The following communication was received from the Honorable Secretary of State:—

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE,  
SALEM, OREGON,  
January 23, 1895.

*To the Honorable the President of the Senate:*

SIR: I have the honor, in compliance with senate resolution No. 12, to deliver to you senate joint resolution No. 4 of the seventeenth biennial session of the legislative assembly of the state of Oregon, which passed both houses of said assembly at said session, and was enrolled and signed by the president of the senate and the speaker of the house.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of State.

SENATE JOINT RESOLUTION NO. 4.

*Be it resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 10 of article XI of the constitution of the state of Oregon be and the same is hereby abrogated, and in lieu thereof section 10 of article XI shall be as follows:

ARTICLE XI.

Section 10. No county, city, town, school district or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to an amount, including present existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

Adopted by the senate January 30, 1893.

C. W. FULTON,  
President of the senate.

Concurred in by the house February 2, 1893.

W. P. KEADY,  
Speaker of the house.

On motion of Senator Cogswell, the resolution was referred to the committee on judiciary, with leave to report at any time, and with instructions to have the resolution printed.

Senate bill No. 141. Senator Alley. A bill for an act to

amend section 2501 of Hill's annotated laws of Oregon, providing for notice of election.

Senator Alley moved that the rules be suspended and that senate bill No. 141 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Holt, McAlister, McClung, and Price—4.

So the rules were suspended and senate bill No. 141 was read first time by title only and passed to second reading.

Senate bill No. 142. Senator Calbreath. A bill for an act to amend an act entitled "An act to amend section 2897 of title III, chapter XVIII of the laws of Oregon, annotated and compiled by William Lair Hill, relating to guardians and wards, approved February 16, 1891."

Senator Calbreath moved that the rules be suspended and that senate bill No. 142 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Gowan, and Steiwer—3.

So the rules were suspended and senate bill No. 142 was read first time by title only and passed to second reading.

Senate bill No. 143. Senator Raley. A bill for an act to repeal section 3030 of the laws of Oregon, as compiled by W. Lair Hill, relating to the record of assignments of mortgages and the effect thereof, and to provide for the recording of assignments of mortgages, and the effect of the endorsement and transfer of promissory notes and other obligations secured by mortgages.

Senate bill No. 143 was read first time and passed to second reading without question.

Senate bill No. 144. Senator Calbreath (by request). A bill for an act to amend section 1870 of Hill's annotated laws of Oregon, relating to indecent and obscene pictures and literature.

Senator Calbreath moved that the rules be suspended and that senate bill No. 144 be read first time by title only.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Butler, Patterson, Price, and Steiwer—4.

So the rules were suspended and senate bill No. 144 was read first time by title only and passed to second reading.

Senate bill No. 145. Senator Hobson. A bill for an act to protect material men who furnish materials for the construction or repair of railroads within the state of Oregon, and to provide a lien therefor.

Senator Hobson moved that the rules be suspended and senate bill No. 145 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Butler, McClung, McGinn, Patterson, and Raley—5.

So the rules were suspended and senate bill No. 145 was read first time by title only and passed to second reading.

Senate bill No. 146. Senator Smith of Clatsop. A bill for an act to cure defects in deeds heretofore made to real property, that are defective in execution or acknowledgment, and to cure defects in judicial sales of real property and sales of lands by executors, administrators, and guardians.

Senator Smith of Clatsop moved that the rules be suspended and that senate bill No. 146 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, McGinn, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Hobson, Maxwell, McAlister, McClung, Price, and Raley—6.

So the rules were suspended and senate bill No. 146 was read first time by title only and passed to second reading.

Senate bill No. 147. Senator Steiwer. A bill for an act to amend section 2256 of the general laws of Oregon, as compiled and annotated by William Lair Hill, and providing for changing the boundaries of Gilliam county, Oregon.

Senator Steiwer moved that the rules be suspended and that senate bill No. 147 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Hobson, Maxwell, McAlister, McClung, McGinn, and Raley—6.

So the rules were suspended and senate bill No. 147 was read first time by title only and passed to second reading.

Senate bill No. 148. Senator Patterson. A bill for an act to amend section 37 (thirty-seven) and to repeal section 38 (thirty-eight) of an act entitled "An act to incorporate the city of Silverton, Marion county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Silverton, in Marion county, Oregon, and approved February 16, 1885, and an act entitled an act to amend the act to incorporate the city of Silverton, approved February 15, 1887," said act sought to be amended filed in the office of the secretary of state February 18, 1891.

Senator Patterson moved that the rules be suspended and that senate bill No. 148 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Huston, McClung, and Raley—3.

So the rules were suspended and senate bill No. 148 was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that senate bill No. 148 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King,

Maxwell, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Butler, Huston, Johnson, McAlister, Raley, and Steiwer—6.

So the rules were suspended and senate bill No. 148 was read second time by title only.

On motion of Senator Patterson, the bill was referred to a special committee, consisting of the senators from Marion county.

Senate bill No. 149. Mr. Patterson. A bill for an act to amend sections 33 (thirty-three), 70 (seventy), and 92 (ninety-two) of an act entitled "An act to incorporate the city of Silverton, Marion county, state of Oregon, and to repeal an act entitled an act to incorporate the city of Silverton, in Marion county, Oregon, approved February 16, 1885, and an act entitled an act to amend the act to incorporate the city of Silverton, approved February 15, 1887," said act sought to be amended filed in the office of the secretary of state February 18, 1891.

Senator Patterson moved that the rules be suspended and senate bill No. 149 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators King, Raley, Smith of Clatsop, and Steiwer—4.

So the rules were suspended and senate bill No. 149 was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that senate bill No. 149 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Gowan, Huston, Maxwell, Raley, and Steiwer—5.

So the rules were suspended and senate bill No. 149 was read second time by title only.

On motion of Senator Patterson, the bill was referred to a special committee, consisting of the senators from Marion county, with leave to report at any time.

On motion of Senator Cogswell, the senate took a recess until 11:50 o'clock a. m. today.

The senate was called to order at 11:50 o'clock a. m. by the president.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house resolution No. 23, providing for a joint convention of the two houses in regard to the election of United States senator and other business.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE RESOLUTION NO. 23.

*Resolved*, That the house hereby invites the senate to meet with the house in the representative chamber at 12 o'clock meridian of this day, to hold the joint assembly required by the act of congress, approved July 25, 1866, to canvass the votes for senator cast in the separate houses on yesterday, and to take such further proceedings with reference to the election of a senator in congress as said act of congress may provide or said joint assembly may determine, and if any further sessions of said joint assembly should be necessary, to meet with the house in joint assembly in the representative chamber at 12 o'clock meridian on each day after today until the business of said joint assembly shall be completed.

*Be it further resolved*, That a copy of this resolution be forthwith transmitted to the senate.

On motion of Senator Maxwell, the senate accepted the invitation extended in house resolution No. 23.

The hour having arrived for the meeting of the senate and house of representatives to meet in joint convention for the purpose of canvassing the vote taken in each branch of the legislative assembly on the preceding day for United States senator, the

senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention was called to order by Hon. Joseph Simon, president of the senate.

The chief clerk of the senate called the roll of the senate, and all of the senators were present.

The chief clerk of the house called the roll of the house, and all of the representatives were present, except Mr. Scott, who was absent on account of illness.

The president stated the object of the joint convention to be the canvassing of votes cast for United States senator in the two houses of the legislative assembly of the state of Oregon on yesterday, and to ascertain and declare the result thereof.

The president read to the joint convention the act of congress, relative to the times and manner of holding elections for senators in congress, being an act to regulate the times and manner of holding elections for senators in congress, approved July 25, 1866.

By direction of the president, the chief clerk of the senate read from the senate journal of yesterday the proceedings had in that body concerning the election of United States senator from the state of Oregon, from which it appeared that on that day a vote had been duly taken for United States senator for Oregon, in accordance with the foregoing mentioned act of congress, and that on said ballot the whole number of votes cast were thirty, of which Hon. Joseph N. Dolph received nineteen, Hon. A. S. Bennett received eight, and Hon. Wm. D. Hare received three, and that Hon. Joseph N. Dolph having, therefore, received a majority of all the vote cast in the senate for United States senator, was declared to be the choice of the senate for United States senator for Oregon.

The chief clerk of the house read the journal of the house of the proceedings had in that body on the same subject, from which it appeared that a vote had been duly taken on that day in the house of representatives for United States senator for the state of Oregon, as required by said mentioned act of congress, and the whole number of votes cast were fifty-nine, of which Hon. Joseph N. Dolph had twenty-nine, Hon. Frank A. Moore twenty-two, Hon. Wm. D. Hare seven, and Hon. William P. Lord one; and it thereby appeared that no person had received a majority of all the votes cast in the house of representatives for United States senator for Oregon.

The president then announced that no person having received

a majority of all the votes cast in the two houses of the legislative assembly for United States senator on yesterday, there had been no election.

The president then directed the roll to be called for the purpose of taking a ballot in the joint convention for United States senator.

The roll was called, and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Cooper, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorehead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—44.

Those voting for Hon. Frank A. Moore were: Messrs. Baker, Barkley, Boothby, Burke, Cole, Craig, Curtis, Gates, Gurdane, Hope, Lester, Patterson of Grant, Rinearson, Smith of Linn, Tiggard, Wright, and Yates—17.

Those voting for Hon. Wm. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffrey, King, Nealon, Steward, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Hillegas, Johnson, and McClung—4.

Those voting for Hon. Wm. P. Lord were: Messrs. Coon, Dunn, Guild, Hofer, and Lyle—5.

Those voting for Hon. A. S. Bennett were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—8.

Those voting for Hon. Geo. H. Williams were: Mr. Keyt—1.  
Absent—Representative Scott—1.

Whole number of votes cast—89.

No person having received a majority of all the votes cast in the joint convention for United States senator, there was no election.

Representative Burke moved that the joint convention do now adjourn.

Senators McGinn and Denny demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Alley, Baker, Barkley, Beckley, Boothby, Bridges, Buckman, Burke, Burleigh, Butler, Cleeton, Cogswell, Cole, Coon, Cooper, Craig, Curtis, Davis, Gates, Guild, Gurdane, Hillegas, Hofer, Holt, Hope, Huffman, Huston, Jeffreys, Johnson, Keyt, King, Lester, Lyle, McAlister, McClung, McGreer, Nealon, Pat-

tersen of Grant, Patterson of Marion, Raley, Rinearson, Smith of Sherman, Smith of Clatsop, Smith of Linn, Stewart, Tigard, Vanderburg, Woodard, Wright, Yates, and Young—51.

Nays—Messrs. Bancroft, Beach, Blundell, Brownell, Calbreath, Calvert, Cardwell, Carter, Conn, Daley, David, Dawson, Denny, Dunn, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, Mintie, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Josephine, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Mr. Speaker, and Mr. President—38.

Absent—Representative Scott—1.

So the motion prevailed and the joint convention stood adjourned.

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IN THE SENATE.

The senate was called to order at 2:30 o'clock p. m. by the president.

On motion of Senator Cogswell, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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THURSDAY, JANUARY 24, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by the Rev. Mr. Sinclair of the Episcopal church.

On motion of Senator McGinn, the reading of the journal of the proceedings of yesterday was dispensed with.

The president announced the appointment of the following special committees, viz.:—

On the part of the senate under house concurrent resolution No. 11, Senators Gesner and Huston.

Under house concurrent resolution No. 3, Senators Maxwell and Smith of Sherman.

Under senate concurrent resolution No. 13, Senators Bancroft and McClung.



Under house joint resolution No. 1, Senators Woodard and Hobson.

Under house concurrent resolution No. 5, Senators Dawson and Raley.

Under senate concurrent resolution No. 4, Senators Denny and Butler.

Under house concurrent resolution No. 9, Senators Steiwer and Brownell.

Under house concurrent resolution No. 6, Senators Johnson and Beckley.

Senate bill No. 150. Senator Cogswell. A bill for an act for the relief of Lake county.

Senate bill No. 150 was read first time and passed to second reading without question.

Senate bill No. 151. Senator Vanderburg. A bill for an act to regulate the transportation of passengers, and to prohibit the issuing of passes by railroad corporations.

Senator Vanderburg moved that the rules be suspended and senate bill No. 151 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Johnson—2.

So the rules were suspended and senate bill No. 151 was read first time by title only and passed to second reading.

Senate bill No. 152. Senator Smith of Clatsop. A bill for an act to amend sections 2815 and 2818 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Senate bill No. 152 was read first time and passed to second reading without question.

Senate bill No. 153. Senate Raley. A bill for an act to provide for the establishment of justice of the peace and constable precincts in incorporated towns or cities of not less than three thousand inhabitants; to provide for the compensation and the mode of payment thereof to the justice of the peace of the several districts so established; to provide for the payment to the several counties of the fees paid to such justices of the peace by parties litigant, and to define the qualifications of such justices of the peace, and for the repeal of all acts or parts of acts in conflict herewith.

Senator Raley moved that the rules be suspended and that senate bill No. 153 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 153 was read first time by title only and passed to second reading.

Upon unanimous consent being given, Senator Maxwell introduced senate joint memorial No. 3.

#### SENATE JOINT MEMORIAL NO. 3.

Whereas during the years of 1847 and 1848 the pioneer settlers of the territory now embraced in the states of Oregon, Washington, and Idaho, and then under a provisional government, organized by the settlers, were called upon to face a general Indian war, and to prevent the annihilation of the whites,—residents within that territory. This war, known as the Cayuse war, was fought to a successful termination by said settlers, and with arms, ammunition, horses, equipment, and provisions, furnished by themselves through a winter campaign in which they suffered untold hardships through lack of proper equipment and food. These men were not regularly mustered. The lack of that formality was due to the fact that no qualified officers of the United States were existent in the territory to administer the proper forms, and, furthermore, the emergency of the situation called for immediate action. Proper official and authentic muster rolls and returns are existent upon the files of the secretary of the state of Oregon; and whereas during the years of 1855 and 1856 the settlers were again called upon to protect the settlements upon both the Yakima and Rogue Rivers from the savages; and whereas these services, expenses, and hardships, so incurred by these pioneer settlers, as above stated, resulted in the prevention of the horrible massacres, if not annihilation, that otherwise would have resulted but for the prompt and efficient action on the part of these brave men; therefore, the senate and house of representatives of the state of Oregon, in legislature assembled, respectfully memorialize the honorable senate and house of representatives of the United States, and request them to enact a law, or to insert and include in any act which is now or which may be hereafter before that honorable body granting a pension to any person or persons for services during

any of the wars of the United States, the names of those men who were engaged in the Indian wars of 1847 and 1848, known as the Cayuse war, and of 1855 and 1856, known as the Yakima and Rogue River war, as shown by records, muster rolls, and returns on file in the office of the secretary of state of Oregon, whereby pensions shall be granted to those who fought in said Indian wars equal in amount to those pensions granted to Mexican war soldiers. And we further request our senators and representatives in the congress of the United States to use any and all honorable means to secure a pension to the men herein mentioned. The secretary of state is hereby ordered to send three certified copies of this memorial to each of the senators and representatives of this state in the congress of the United States, and to the chief clerks of the United States senate and United States house of representatives.

On motion of Senator Cogswell, senate joint memorial No. 3 was ordered printed.

Senate bill No. 154. Senator Cogswell. A bill for an act to amend section 3857 of chapter LXIV of the laws of Oregon, as compiled by W. Lair Hill, relating to limited partnership.

Senate bill No. 154 was read first time and passed to second reading without question.

Senator Cogswell moved that the senate take a recess until 11:50 o'clock a. m. today.

The motion was lost.

House bill No. 41 coming on for first reading, Senator Bancroft moved that the rules be suspended and that the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodward, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Dawson—2.

So the rules were suspended and senate bill No. 41 was read first time by title only and passed to second reading.

Senator Bancroft moved that the rules be further suspended and that house bill No. 41 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King,

Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Cogswell, and Dawson—3.

So the rules were suspended and house bill No. 41 was read second time by title now.

Senator Bancroft moved that the rules be further suspended and that house bill No. 41 be read third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Denny, Holt, Johnson, and Maxwell—5.

So the rules were suspended and house bill No. 41 was read third time and placed upon its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—Senator Gesner—1.

Absent—Senators Alley, Carter, and Gowan—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted, with the following amendment, senate concurrent resolution No. 8, relating to joint rules: Amend rule 1, by adding thereto the words "in a sealed envelope."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Cogswell, the senate concurred in house amendment to senate concurrent resolution No. 8.

On motion of Senator Cogswell, the chief clerk was instructed to have printed one hundred and fifty copies of the rules and joint rules of the senate and house of representatives.

Upon unanimous consent being given, Senator Denny introduced senate petition No. 1.

#### SENATE PETITION NO. 1.

*To the Honorable Members of the Legislature of the State of Oregon:*

Inasmuch as the cigarette is injuring, morally, mentally, and physically, a vast number of the youths of this nation, causing insanity and death to thousands without the least benefit to the consumer, we, the undersigned, parents, educators, and physicians, ask your most honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment.

Signed by many petitioners.

Senate petition No. 1 was referred to the committee on education.

On motion of Senator Cogswell, the senate took a recess until 11:55 o'clock a. m. today.

Senate called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 24, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present.

The chief clerk of the senate read the journal of the proceedings of the joint convention of yesterday.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon in the joint convention of both houses on January 23, 1895, there had been no election.

Representative Hofer nominated for the office of United States senator for Oregon, Hon. Harrison R. Kincaid.

The next in order being the taking of the votes of the joint convention for United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Cooper, Daley, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President — 44.

Those voting for Hon. F. A. Moore were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Curtis, Gates, Gurdane, Hillegas, Hope, Johnson, Lester, McClung, Scott, Smith of Linn, Tigard, Wright, and Yates — 19.

Those voting for Hon. A. S. Bennett were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop — 8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young — 10.

Those voting for Hon. Z. F. Moody were: Messrs. Coon, Lyle, Patterson of Grant, and Rinearson — 4.

Those voting for Hon. Wm. P. Lord were: Messrs. Dunn and Guild — 2.

Those voting for Hon. Harrison R. Kincaid were: Messrs. Craig and Hofer — 2.

Those voting for Hon. George H. Williams were: Mr. Keyt — 1.

The president declared that as no person received a majority of all the votes cast, there was no election.

On motion of Mr. Hofer, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 1:40 o'clock p. m. by the president.

On motion of Senator Patterson, the senate adjourned till to-morrow morning at 10 o'clock.

FRIDAY, JANUARY 25, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present except Senators Brownell and Huston, who were absent on account of illness.

The morning session of the senate was opened with prayer by Rev. W. C. Kantner of the Congregational church.

On motion of Senator Gowan, the reading of the journal of the proceedings of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 109,—a bill for an act to legalize certain city bonds of the city of Astoria.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 131,—a bill for an act repealing section 16 of an act incorporating Prairie City.



And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 155. Senator Gowan. (By unanimous consent.) A bill for an act entitled an act for the relief of Harney county for taxes illegally assessed and paid to the state in the year 1891.

Senator Gowan moved that the rules be suspended and that senate bill No 155 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Huston, and Johnson—3.

So the rules were suspended and senate bill No. 155 was read first time by title only and passed to second reading.

Senate bill No. 156. Senator Raley. (By unanimous consent.) A bill for an act to provide for the building of a branch insane asylum on the lands selected and purchased by the state of Oregon at Union, Union county, Oregon, and appropriating money therefor.

Senator Raley moved that the rules be suspended and senate bill No. 156 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Huston, and Johnson—3.

So the rules were suspended and senate bill No. 156 was read first time by title only and passed to second reading.

Senate bill No. 157. Senator Woodard. (By unanimous consent.) A bill for an act to amend section 2593 of the laws of Oregon, as compiled and annotated by W. Lair Hill, as amended by an act entitled "An act to amend section 2593 of the laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 21, 1893.

Senator Woodard moved that the rules be suspended and that senate bill No. 157 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Huston, and Johnson—3.

So the rules were suspended and senate bill No. 157 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator King introduced senate concurrent resolution No. 15.

#### SENATE CONCURRENT RESOLUTION NO. 15.

*Resolved by the Senate, the House concurring, That the following amendment to the constitution of the state of Oregon be and is hereby proposed:*

Section 1. The right to approve, reject, and repeal state laws, or proposed state laws and constitutional amendments, shall rest with a majority of the citizens of the state. The right to approve or reject or repeal the laws, or proposed laws and ordinances, of any political subdivision of the state, such as county, city, town, district or precinct, shall rest with a majority of the citizens of such political subdivision. The method of such approval or rejection shall be that known as the referendum.

Section 2. The right to propose laws and constitutional amendments for the state shall, in addition to being exercised by the members of the legislative assembly, rest with any number of voters of the state equal to seven per cent. of the votes cast at the last preceding general election before such proposal. The right to propose laws for any political subdivision of the state, such as county, city, town, district, or precinct, shall, in addition to being exercised by members of its local legislative body, as at present, rest with any number of its voters equal to fifteen per cent. of the number of votes cast within its limits at the last preceding general election before such proposal. The method to be employed in so proposing measures shall be that known as the initiative

Section 3. The right to demand the referendum on any law of the state may be exercised by seven per cent. of the voters of the state filing a petition with the secretary of state designating the law and demanding its submission to a vote of the people.

The right to demand the referendum on any local law or ordinance of a political subdivision of the state, as heretofore described, may be exercised by fifteen per cent. of the voters of that political subdivision filing their petition with the clerk of the county, city, town, or district, as the case may be. The initiative shall be exercised in like manner by filing the petition of like number of voters with the officer designated above to receive the demand for the referendum. All demands for the initiative and for the referendum shall be filed with the secretary of state at least six months before the general election at which they are to be submitted to the people.

Section 4. No act passed by the legislative assembly shall become a law in less time than six months after its passage, except in cases of extraordinary emergency, which shall be stated in said act; and if within six months after the passage of any act a petition of seven per cent. of the legal voters of the state shall be filed with the secretary of state asking for the repeal of such law or laws, the secretary of state shall order an election for the rejection or acceptance of such law or laws; and if at such election a majority of the votes cast therefor shall be "Yes," such law or laws shall become void; and if less than a majority be "No," the same shall become a law.

Section 5. No election, as provided for in this amendment, shall be ordered more than once during any one year, at which time all bills shall be voted upon which may have been petitioned for as provided for in either the initiative or referendum.

Section 6. The election for acceptance or rejection of all laws provided for in this amendment shall be held on the last Monday of the eighth month following the adjournment of the legislative assembly, at which time all bills which may have passed the legislative assembly and which may be petitioned for, or the repeal thereof, shall be voted upon as in this amendment provided; and if within six months after the adjournment of the legislative assembly no such petition for the repeal or passage of any law proposed or passed by the legislative assembly shall have been filed as herein provided, then all bills passed by the legislative assembly shall become laws as provided for in the constitution of Oregon.

Section 7. No one shall be qualified to vote at any election held for the purpose herein named who is not able to write and read the constitution of the United States and the state of Oregon in the English language, and who is not a citizen of the United States, and who has not registered at least thirty days prior to such election, as may be provided by law.

Section 8. The legislative assembly, or the people of the state

of Oregon, may have the power to provide by law for the carrying into effect the provisions of this amendment.

Section 9. Any portion of the constitution of this state or any law in conflict with this amendment is hereby repealed.

Senate bill No. 158. Senator Woodard. (By unanimous consent.) A bill for an act to amend section 2465 of the laws of Oregon, as compiled and annotated by W. Lair Hill, as amended by an act entitled an act to amend section 2465, Hill's annotated laws of Oregon, filed in the office of the secretary of state February 20, 1893.

Senator Woodard moved that the rules be suspended and that senate bill No. 158 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Denny, and Huston—3.

So the rules were suspended and senate bill No. 158 was read first time by title only and passed to second reading.

Senate bill No. 159. Senator Maxwell. (By unanimous consent.) A bill for an act to fix the compensation of the county clerk, sheriff, and treasurer of Tillamook county, to provide deputies therefor, and to fix the salaries of said deputies.

Senator Maxwell moved that the rules be suspended and that senate bill No. 159 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Brownell, Dawson, Denny, and Huston—5.

So the rules were suspended and senate bill No. 159 was read first time by title only and passed to second reading.

Senate bill No. 160. Senator McClung. (By unanimous consent.) A bill for an act to amend section 350 of chapter IV of title IV of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator McClung moved that the rules be suspended and that senate bill No. 160 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Brownell, and Huston—3.

So the rules were suspended and senate bill No. 160 was read first time by title only and passed to second reading.

House bill No. 131 was read first time and passed to second reading without question.

House bill No. 169 was read first time and passed to second reading without question.

Senator Hobson, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate joint memorial No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### SENATE JOINT MEMORIAL NO. 2.

*To the Honorable Congress of the United States:* Petition for a pension for Margaret C. McKay, widow of the late Dr. William C. McKay, of Pendleton, Oregon,—Your petitioners would respectfully ask that an act be passed granting a pension to Margaret C. McKay, widow of the late Dr. William C. McKay, of Pendleton, Oregon, and, as reasons therefor, set forth the heroic services of said Dr. William C. McKay, his sacrifices and loss of property on account of his great friendship for the United States, and especially his magnificent services in inducing the Indians to surrender the murderers of Dr. Whitman in 1851, and again as a scout in the Yakima war (1855–57), and finally as a commander of a detachment of scouts in the Snake war of 1866–67, coupled

with the old age and poverty and crippled condition of his widow, the said Margaret C. McKay, the companion and helpmeet of his years of service. Dr. McKay was a child of the Pacific northwest, born in Astoria in 1824; he was the grandson of Alexander McKay, partner of John Jacob Astor, the founder of Astoria. His mother was a Chinook princess, neice of the old chief Comcomly, celebrated in Irving's *Astoria*. Thus descended from the Indian on the one side, and the American trapper on the other, he was endowed by nature with all those instincts which made him an invaluable aid in dealing with the Indians of the northwest. His education in an American college at Fairfield, Herkimer county, New York, under the advice and direction of the famous missionary teacher, Dr. Whitman, made him thoroughly American, and led him ever to use his great influence with the Indians in the interests of the American settlers, and to prevent bloodshed and the horrors of Indian war. Dr. McKay was at Oregon City at the time of the trial of the murderers of Dr. Whitman, and some of the chiefs who were present invited him to establish a trading post among them, which he did, near the site of the present city of Pendleton, Oregon. Dr. McKay's post became the rendezvous of traders and travelers throughout all that region, and was a powerful influence in restraining the growing restlessness of the tribes. In 1855 the Yakima war broke out and all his possessions were destroyed by the Indians. The origin of this war was a growing feeling of distrust caused by the continued incoming of settlers, and the fear by the Indians that the whites would deprive them of all their lands. A great council had been called and a treaty made by Gen. I. I. Stevens, Gen. Joe Palmer, and others, and the tribes ceded a portion of their lands to the whites. The sudden influx of settlers before the government made the promised payments, brought on a war. Dr. McKay had been an influential factor in procuring this treaty, acting as secretary of the council for Oregon, and on account of this he was singled out by the Indians as a fitting object for their revenge, and his property was totally destroyed by them, involving him in financial ruin from which he never recovered. Dr. McKay took a prominent part in this war as a scout, and his services were of extraordinary value to the commanding generals, who were totally unacquainted with Indian methods of warfare. (See exhibit "A" hereto attached.) In the fall of 1856 Dr. McKay acted as guide for the expeditions of Generals Wright and Steptoe, and it was at his suggestion that the site for Fort Walla Walla was selected and a garrison established there. Again, in 1866, the Snakes began to commit depredations by cutting off supply trains and massacreing outlying settlers and miners, and inspiring terror throughout all eastern



Oregon. The United States soldiers seemed unable to subdue them, and a petition was sent to the Oregon legislature by the settlers asking, in the name of God, that volunteers be organized as a means of protection against the devastation of the Snakes. A bill was introduced to enlist volunteers to go against the Snakes; it was amended that a company of Warm Spring Indians be organized, and that Dr. Wm. C. McKay be placed at their head. This was passed with great enthusiasm. General Steele, commander of the department of the Columbia, proposed that under a recent act of congress the scouts be equipped with the necessary arms and accoutrements, and be regularly mustered into the United States service. (See proposal of General Steele to Dr. McKay to enlist a company of Warm Spring Indians hereto attached, marked exhibit "B.") This proposal was accepted. Dr. McKay was sworn into the United States service October 26, 1866, by W. Borrowe, second lieutenant U. S. A., with the pay of a second lieutenant. (See exhibit "C," hereto attached.) As is usual in such cases there was much delay, and the Indians were kept waiting at The Dalles for three or four months, impatient for action, but not yet supplied with the things necessary for the campaign. At last, in the dead of winter the company was inspected by General Steele, and McKay was asked when it was advisable to begin the campaign. "Now," was his emphatic answer, and he forthwith took the field with his command, being assisted in the leadership by Captain John Darrah. It is needless to say that being acquainted with the *modus operandi* of the enemy, they soon returned with thirty-five scalps, more than the regular army of the United States had captured in five years. In the month of June they again took the field under the command of General Crook. In one year after McKay's scouts took the field the Piutes and Snakes sued for peace. One of their chiefs, in a grave and impressive address, said that once his people were as numerous as the leaves on the trees; now they were few in number, and were compelled to make peace with the white man. But, he told General Crook, that it was not he whom he feared, nor his blue-coated soldiers, at whom the Indians laughed. "It is there," and he pointed to Dr. McKay at the head of his Indian scouts, "the salmon-catchers (as the Warm Spring Indians were called by other tribes), they are the men who have taken the scalps of my people and compelled us to bury the hatchet ere it was red with the blood of our enemies." In Oregon this is a well known fact. The Warm Spring Indians knew better than the white man the foe with whom they had to deal. When the Modoc war broke out General Canby invited the doctor to take command of the same company of scouts. McKay thought the outbreak too trifling, and recommended his younger brother Donald



for the expedition. Yet it cost the United States nearly three million dollars to subdue less than one hundred Indians. Every newspaper reader remembers Donald McKay, the hero of the Modoc war. The Pacific states owe a debt to the whole McKay family. Fifty years ago when the very fate of the settlers on this coast hung in the balance, old Tom McKay, the father of Donald and the doctor, raised a company of half-breeds and took the field for the unprotected whites. This fact is recorded in all our histories. It is impossible to estimate the amount of life and property saved through their influence. Hundreds of pioneers live to testify, hundreds more have passed away. Hereto are attached copies of letters and orders written to Dr. McKay during his period of service. Wherefore, your petitioners ask that a pension be granted the said Margaret C. McKay, and for this they will ever pray.

W. H. HOBSON,  
Chairman.

On motion of Senator Raley, the report and amendment were laid on the table.

Senator Gowan, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 42, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. W. GOWAN,  
Chairman.

Senate bill No. 42 was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was re-

ferred senate bill No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

After line nine of the printed bill add the following: "*Provided*, That within sixty days after the sale of such property, as herein provided, the mayor shall cause a notice thereof to be sent by registered mail to the last known address of such owner or owners thereof."

A. R. PRICE,  
Chairman.

On motion of Senator McClung, the amendment was adopted. Senate bill No. 8, as amended, was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 51, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out the title of the bill, and insert in lieu thereof the following: A bill for an act to amend sections 3, 5, 14, and 20 of an act entitled "An act to incorporate the city of Hillsboro, in the county of Washington, and state of Oregon, and to repeal an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, and an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved February 16, 1885; and an act entitled an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, and approved February 4, 1887; and an act entitled an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved

October 19, 1876, as amended by an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, and approved February 4, 1887, which said act was filed in the office of secretary of state February 18, 1891," filed in the office of the secretary of state February 20, 1893.

#### AMENDMENT.

Strike out the words "that section 3 of an act entitled an act to incorporate the city of Hillsboro, in the county of Washington, in the state of Oregon, filed in the office of the secretary of state February 20, 1893," be amended to read as follows: On page one of the printed bill, insert in lieu thereof the following: "Section 1. That section 3 of an act entitled "An act to incorporate the city of Hillsboro, in the county of Washington, and state of Oregon, and to repeal an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876; and an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved February 16, 1885; and an act entitled an act to amend an act entitled an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, and approved February 4 1887; and an act entitled an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, approved October 19, 1876, as amended by an act to amend an act to incorporate the town of Hillsboro, in Washington county, Oregon, and approved February 4, 1887, which said act was filed in the office of the secretary of state February 18, 1891," filed in the office of the secretary of state February 20, 1893, be amended so as to read as follows."

#### AMENDMENT.

Insert after line eleven of section 1, on page one, of printed bill, the following: "Section 2. That section 5 of the above described act of the legislative assembly be amended so as to read as follows."

#### AMENDMENT.

Strike out the words "section 14 of said act be amended so as to read as follows," following line two hundred and eighty-one on page eleven of printed bill, and insert in lieu thereof the following: "Section 3. That section 14 of the above described act of the legislative assembly be amended so as to read as follows."

AMENDMENT.

Strike out the words "that section 20 of said act be amended so as to read as follows," on page eleven of printed bill, and insert in lieu thereof the following: "Section 4. That section 20 of the above described act of the legislative assembly be amended so as to read as follows."

A. R. PRICE,  
Chairman.

On motion of Senator Price, the amendments were adopted. Senate bill No. 51 was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 37, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

Senate bill No. 37 was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 63, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

In line seven, section 2 of printed bill, strike out the word "section" and insert in lieu thereof the word "sections."

## AMENDMENT.

In lines ten and eleven, section 5 of printed bill, strike out the words "as ale and beer."

A. R. PRICE,  
Chairman.

On motion of Senator Price, the amendments were adopted.

Senate bill No. 63 was ordered engrossed and to third reading tomorrow.

Senator McClung, chairman of the committee on education, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. McCLUNG,  
Chairman.

Senate bill No. 13 was ordered engrossed and to third reading tomorrow.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 14, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

Senate bill No. 14 was ordered engrossed and to third reading tomorrow.

Senator Hobson, chairman of the special committee to whom was referred house bill No. 24, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President :*

Your special committee, to whom was referred house bill No. 24, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. H. HOBSON,  
Chairman.

House bill No. 24 was ordered to third reading tomorrow.

Senate bill No. 161. Senator Butler. (By unanimous consent.) A bill for an act to amend an act entitled an act to change in part the compensation and mode of payment thereof to the county clerks, recorder of conveyances, clerks of the circuit courts and county courts in the state, and of the sheriffs of the several counties; to repeal certain provisions of statute providing for the payment of certain fees to said officers, and of trial fees in certain cases; to provide for the payment by parties to appeals, actions, suits, and proceedings of certain sums to assist the state and several counties in defraying expenses consequent upon the administration of justice; to provide for the appointment of deputies for the various officers above enumerated in certain cases, and their compensation; and for the payment to the state and several counties of sums of money and fees paid to said officers by said parties litigant, filed in the office of the secretary of state February 22, 1893.

Senator Butler moved that the rules be suspended and that senate bill No. 161 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 24.

Nays — None.

Absent — Senators Alley, Brownell, Denny, Hobson, Huston, and Price — 6.

So the rules were suspended and senate bill No. 161 was read first time by title only and passed to second reading.

On motion of Senator Raley, a recess was taken by the senate until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, for the purpose of voting for United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 25, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The clerk of the senate called the roll of the senate, and all the senators were present.

The clerk of the house called the roll of the house, and all the members were present, except Representative Scott and Mr. Speaker.

The chief clerk of the senate read the journal of the proceedings of the joint convention of yesterday, and the same was approved as read.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon in the joint convention of yesterday, there had been no election, and directed the calling of the roll of the joint convention for the purpose of voting for United States senator.

Senator Cogswell moved that members in explaining their votes should be limited to two minutes.

The motion prevailed.

On motion of Senator Huston, the speaker of the house was excused from voting for United States senator today, he being paired with Representative Scott.

The roll was called, and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—42.



Those voting for Hon. Frank A. Moore were: Messrs. Baker, Barkley, Boothby, Cole, Gates, Hope, Lester, Lyle, Smith of Linn, Tigard, and Yates—11.

Those voting for Hon. A. S. Bennett were: Messrs. Beckley, Putler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. George H. Williams were: Messrs. Cooper and Keyt—2.

Those voting for Hon. Wm. P. Lord were: Messrs. Dunn, Guild, and Wright—3.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Burke, Coon, Craig, Curtis, Hillegas, Hofer, McClung, Patterson of Grant, and Rinearson—10.

Those voting for Hon. S. A. Lowell were: Mr. Gurdane—1.

Those voting for Hon. H. L. Barkley were: Mr. Johnson—1.

Absent—Mr. Scott and Mr. Speaker—2.

Whole number of votes cast—88.

The president declared that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Hofer, the joint convention adjourned.

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IN THE SENATE.

The senate was called to order at 12:45 o'clock p. m. by the president.

On motion of Senator Patterson, the senate adjourned until tomorrow morning at 10 o'clock.

WALTER SINCLAIR,  
Chief clerk.

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SATURDAY, JANUARY 26, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present except Senator Huston, who was absent on account of illness.

The senate was opened with prayer by Rev. Mr. Bowersox of the Evangelical church.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 162. Senator Raley. A bill for an act entitled an act creating the sixth judicial district of the state of Oregon and providing for the appointment of a judge and prosecuting attorney thereof, and prescribing the times and places of holding the terms of the circuit court of said judicial district.

Senator Raley moved that the rules be suspended and that senate bill No. 162 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Huston—1.

So the rules were suspended and senate bill No. 162 was read first time by title only and passed to second reading.

Senator Raley moved that the rules be further suspended and that senate bill No. 162 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Huston—2.

So the rules were suspended and senate bill No. 162 was read second time by title only.

On motion of Senator Raley, senate bill No. 162 was referred to a special committee, consisting of the senators from the sixth judicial district.

Senate bill No. 163. Senator Denny (by request). A bill for an act to authorize the city of Portland to acquire, by condemnation or other means, a bridge across the Willamette river, to issue bonds to pay therefor, and to authorize, in certain cases, the fixing of toll on traffic over the said bridges and free ferries now owned and operated by said city of Portland, and to repeal an act entitled an act to authorize the cities of Portland, East Port-

land, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways, filed in the office of the secretary of state February —, 1891; and to repeal an act entitled "An act to authorize the bridge committee and bridge commission created and provided for in the act filed in the office of the secretary of state February 18, 1891, entitled an act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians, and all classes of vehicles and traffic, except railways and street railways, and to acquire, establish, and operate a free ferry, filed in the office of the secretary of state February 22, 1893.

Senator Cogswell moved that the rules be suspended and that senate bill No. 163 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Hobson and Huston—2.

So the rules were suspended and senate bill No. 163 was read first time by title only and passed to second reading.

Unanimous consent being first obtained, Senator Smith of Clatsop introduced senate concurrent resolution No. 16.

#### SENATE CONCURRENT RESOLUTION NO. 16.

Whereas one of the most important matters for legislative action at this session of the legislature is the preservation of the salmon industry of the Columbia river, and it is of the utmost importance that a careful investigation in the condition of such industry be made with a view to affording such prompt and adequate legislative relief as the importance of the rapidly declining industry demands; therefore, be it

*Resolved by the Senate, the House concurring,* That the committee on fishing industries of the senate and the committee on fishing industries of the house be and hereby are authorized and di-

rected, as a joint committee, to visit such places on the Columbia and Clackamas rivers, as they may deem advisable, for the purpose of making such an investigation and acquiring such information as they may consider necessary to enable them to determine what legislative relief is necessary for the preservation of such industry, and that they be allowed no clerk hire other than such as already belong to them.

On motion of Senator Bancroft, senate concurrent resolution No. 16 was referred to the committee on fishing industries.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 243,—a bill for an act amending the charter of Independence.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 16,—a bill for an act relating to the incorporation of the city of Corvallis.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 1, relating to government aid in improving Umpqua river.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 1.

*To the Honorable the Congress of the United States:* We, your memorialists, the legislative assembly of the state of Oregon, in legislature assembled, would respectfully represent that,—Whereas, there is a large section of farming and timber lands lying along the Umpqua river above the present shipping port, viz.: Scottsburg, and up said river to a point some ten miles above Elkton on said river, that with reasonable facilities for exporting products can be brought into active and profitable agricultural and lumbering interests; and, whereas, the said Umpqua river can be made navigable with a reasonable expenditure to a point at or near the said Elkton, and some fifty miles from the mouth of said river; therefore, be it

*Resolved,* That our senators and representatives in congress be instructed to use their utmost endeavors to secure an appropriation from the general government for the purpose of opening a channel, where necessary, to insure safe navigation of the said Umpqua river to a point at or near the town of Elkton, in Douglas county, Oregon, said amount to be determined by proper surveys, or as may have been determined by former surveys.

*Resolved,* That the governor be instructed to forward copies of this memorial to each of our senators and representatives in congress.

On motion of Senator Cogswell, house joint memorial No. 1 was referred to the committee on commerce and navigation.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 1 with the following amendment: Amend senate joint memorial No. 1 by adding thereto the following: "*Be it further resolved,* That a copy of this joint memorial be properly attested and sent to each of our senators and members of the house of representatives in congress for presentation to the senate and house of representatives of the United States."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Woodard, the senate concurred in house amendments to senate joint memorial No. 1.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 20, providing a joint committee on the part of the house and senate to ascertain wherein the present law relating to the fishing industry is defective.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 20.

*Resolved by the House, the Senate concurring,* That two on the part of the house and one on the part of the senate be appointed as a committee, with authority to investigate the salmon and fish industries of the Willamette and Columbia rivers, and ascertain wherein the present law regulating the fish industry of the state of Oregon is defective, and to make and report to the legislature, at the earliest possible date, as to what means should be taken for the preservation of the fish industry, and the preservation of fish during the season of propagation; *provided*, the cost of said investigation shall not exceed twenty dollars.

On motion of Senator Smith of Clatsop, house concurrent resolution No. 20 was referred to the committee on fishing industries.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 26, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 4, which was adopted by the senate January

30, 1893, and concurred in by the house February 2, 1893, and filed in the office of the secretary of state February 16, 1893, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

SENATE JOINT RESOLUTION NO. 4.

[SEVENTEENTH BIENNIAL SESSION.]

*Resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 10 of article XI of the constitution of the state of Oregon be and the same is hereby abrogated, and in lieu thereof section 10 of article XI shall be as follows:—

ARTICLE XI.

Section 10. No county, city, town, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to any amount, including present existing indebtedness in the aggregate exceeding five per centum on the value of the taxable property therein to be ascertained by the last assessment for the state and county taxes previous to the incurring of such indebtedness.

Adopted by the senate January 30, 1893.

C. W. FULTON,  
President of the senate.

Concurred in by the house February 2, 1893.

W. P. KEADY,  
Speaker of the house.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 13, which was adopted by the senate February 15, 1893, and concurred in by the house February 15, 1893, and filed in the office of the secretary of state February 17, 1893, beg leave to report that we have had the same under consideration,



and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

SENATE JOINT RESOLUTION NO. 13.

[SEVENTEENTH BIENNIAL SESSION.]

*Be it resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon, in lieu of section 10 of article VII (seven), be and the same is hereby proposed, to wit:

Section 10. The legislative assembly may provide for the election of supreme and circuit judges in distinct classes, one of which classes shall consist of five justices of the supreme court, who shall not perform circuit duty; and the other class shall consist of as many circuit judges as may be deemed necessary, who shall hold full terms without allotment, and who shall take the same oath as the supreme judges. The legislative assembly may create as many circuits as may be necessary.

Adopted by the senate February 15, 1893.

C. W. FULTON,  
President of the senate.

Concurred in by the house February 15, 1893.

W. P. KEADY,  
Speaker of the house.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 5, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That section 1 of said bill be amended so as to read as follows: "Section 1. All sales or transfers of personal property, wherein the vendor retains the title thereto, or any lien upon or interest therein, or leases of personal property containing a conditional

right of purchase upon the part of the lessee, where the property is placed in the possession of the vendee, shall be an absolute sale as to all the creditors of the vendee or lessee or purchaser in good faith, unless at the time of transfer of possession, or within three days thereafter, a memorandum of such sale or lease, stating its terms and conditions and signed by the vendor or lessor and vendee or lessee, or their duly authorized agents, shall be filed in the county clerk's office of the county wherein the property shall be situated; but in counties where there is a recorder of conveyances, such memorandum shall be filed with the recorder of conveyances of such county."

#### AMENDMENT.

That section 2 of said bill be amended so as to read as follows: "Section 2. It shall be the duty of the county clerk of the county wherein such memorandum is presented to him for that purpose, to mark thereon the time of its reception, and he shall index the same in a book kept by him for that purpose, indexing the same with direct and indirect index, in the same manner as the general index of mortgages of real property, and shall keep the same on file in his office. The fees for filing and indexing shall be fifty cents, to be accounted for as other fees received by the county clerk or recorder of conveyances. The vendor or lessor may at any time withdraw such memorandum from the files of the office of the county clerk, and upon such withdrawal it shall be the duty of the county clerk or recorder of conveyances to note the same upon the index, and thereupon the interest of the vendor or lessor in such personal property shall be conclusively presumed to have terminated. If any vendor or lessor, or his personal representative or assignee, after full performance of the conditions contained in such memorandum, shall, for the space of ten days after being thereto requested, refuse or neglect to withdraw said memorandum from the office of the county clerk, or recorder of conveyances, he shall be liable to the vendee or lessee, his heirs or assigns, in the sum of one hundred dollars damages, and also for all actual damages occasioned by such neglect or refusal, to be recovered in an action at law."

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendments were adopted.

On motion of Senator Cogswell, senate bill No. 5 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, senate bill No. 6 was ordered engrossed and to third reading tomorrow.

Senator Huston, a member of the committee on judiciary, submitted the following minority report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

A minority of your committee on judiciary, to whom was referred senate bill No. 6, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, but that the following be substituted therefor and that it do then pass.

S. B. HUSTON,  
Member of the committee on judiciary.

## SUBSTITUTE.

Senate bill No. 6. A bill for an act to amend sections 7 and 10 of an act entitled an act to provide a state board of equalization, to prescribe the manner of its creation, and its powers and duties, passed by the legislative assembly of the state of Oregon at its sixteenth regular session.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. That section 7 of an act to provide a state board of equalization, to prescribe the manner of its creation, and its powers and duties, passed by the legislative assembly of the state of Oregon at its its sixteenth regular session, be amended so as to read as follows:

Sec. 7. The board must consider real estate and personal property separately; real estate shall be considered by said board

in equalizing the valuation of the same as assessed in the different counties and divided into the following classes:—

1. City and town lots and land within the corporate limits of towns and cities.
2. Mortgages, deeds of trust, contracts, or other obligations whereby land or real property situated in no more than one county in this state is made security for the payment of a debt, together with such debt.
3. Agricultural and improved lands.
4. Unimproved lands.
5. Railroad tracks, and easements in lands connected therewith.
6. Telegraph lines, and easements in lands connected therewith.

Said board shall have authority to add to or deduct from the valuation of either of said classes of real property in the several counties of the state of Oregon without changing the valuations of all or any of the other of said classes of real property. In considering personal property for the purpose of equalizing the valuation of the same in different counties, said board shall divide personal property into the following classes:—

1. Money.
2. Notes and accounts.
3. Shares of stock.
4. Merchandise and implements.
5. Household furniture, carriages, watches, etc.
6. Railroad rolling stock.
7. Improvements on lands belonging to this state or to the United States.
8. Horses and mules.
9. Cattle.
10. Swine.
11. Sheep and goats.

That section 10 of said act be amended to read as follows:—

Sec. 10. The secretary of state shall provide rooms, fuel, lights, printing, and stationery necessary for the transaction of the business of said board. Each member of said board shall receive for his services six dollars per day during its session, and ten cents per mile actually traveled in going to and returning from the seat of government; and such per diem and mileage, and the pay allowed by the board to the secretary, clerk, and messenger, shall be certified by the chairman of the board to the secretary of state, who shall issue his warrants to the state treasurer therefor. Five members of said board shall constitute a quorum, and may adjourn from time to time; *provided*, that in no case shall its session extend over thirty days.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Johnson, senate bill No. 21 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, senate bill No. 23 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 24, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Johnson, senate bill No. 24 was ordered engrossed and to third reading tomorrow.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 14 as amended.

And the same is herewith returned to you.

R. E. MOODY,  
Chief clerk.

SENATE CONCURRENT RESOLUTION NO. 14.

*Resolved by the Senate, the House concurring,* That the military committees of the senate and house be directed to investigate the record books and papers, acts and doings of the military board, adjutant-general's office, and of any officer of the national guard of Oregon, and report upon the same to this legislature, with any recommendation for reducing the expenses of the national guard; and the said committees are hereby authorized to employ one clerk at a compensation not to exceed five dollars per day for the time actually employed.

On motion of Senator Gowan, the senate concurred in the amendment.

Senate bill No. 164. Senator McAlister. A bill for an act to establish reasonable maximum rates of charges for the transportation of certain kinds of freight by the carload over the different railroads in this state.

Senator McAlister moved that the rules be suspended and that senate bill No. 164 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Gesner, Gowan, and Huston—4.

So the rules were suspended and senate bill No. 164 was read first time by title only and passed to second reading.

Senate bill No. 165. Senator Brownell. A bill for an act to repeal section 3030 of the laws of Oregon, as compiled by W. Lair Hill, relating to the record of assignments of mortgages, and the effect thereof, and to provide for the recording of assignments of mortgages, and the effect of the assignment and transfer of promissory notes and other obligations secured by mortgages.

Senator Brownell moved that the rules be suspended and that senate bill No. 165 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Huston—2.

So the rules were suspended and senate bill No. 165 was read first time by title only and passed to second reading.

Senator Carter asked leave to withdraw senate bill No. 111.

Permission was granted.

Senate bill No. 79 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Huston, and McGinn—3.

So the rules were suspended and senate bill No. 79 was read second time by title only.

On motion of Senator Denny, senate bill No. 79 was referred to the committee on judiciary.

Senate bill No. 80 coming on for second reading, Senator Brownell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter,



Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Huston, and McGinn—3.

So the rules were suspended and senate bill No. 80 was read second time by title only.

Senate bill No. 80 was referred to the committee on irrigation.

Senate bill No. 81 coming on for second reading, was read second time.

Senate bill No. 81 was referred to the committee on judiciary.

Senate bill No. 82 coming on for second reading, Senator Cogswell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Johnson—2.

So the rules were suspended and senate bill No. 82 was read second time by title only.

Senate bill No. 82 was referred to the committee on assessments and taxation.

Senate bill No. 83 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Johnson—2.

So the rules were suspended and senate bill No. 83 was read second time by title only.

On motion of Senator Cogswell, senate bill No. 83 was referred to a special committee, consisting of the senator from Umatilla county.

Senate bill No. 84 coming on for second reading, was read second time.

Senate bill No. 84 was referred to the committee on judiciary.

Senate bill No. 86 coming on for second reading, Senator Price moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Johnson—2.

So the rules were suspended and senate bill No. 86 was read second time by title only.

Senate bill No. 86 was referred to the committee on insurance and banking.

Senate bill No. 87 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Johnson—2.

So the rules were suspended and senate bill No. 87 was read second time by title only.

On motion of Senator Calbreath, senate bill No. 87 was ordered engrossed and to third reading tomorrow.

Senate bill No. 88 coming on for second reading, was read second time.

Senate bill No. 88 was referred to the committee on revision of laws.

Senate bill No. 89 coming on for second reading, was read second time.

Senate bill No. 89 was referred to the committee on claims.

Senate bill No. 90 coming on for second reading, Senator Raley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Holt, and Huston—3.

So the rules were suspended and senate bill No. 90 was read second time by title only.

Senate bill No. 90 was referred to the committee on revision of laws.

Senate bill No. 91 coming on for second reading, was read second time.

Senate bill No. 91 was referred to the committee on judiciary.

Senate bill No. 92 coming on for second reading, was read second time.

Senate bill No. 92 was referred to the committee on judiciary.

Senate bill No. 93 coming on for second reading, was read second time.

Senate bill No. 93 was referred to the committee on judiciary.

Senate bill No. 94 coming on for second reading, was read second time.

Senate bill No. 94 was referred to the committee on revision of laws.

Senate bill No. 95 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Denny, Huston, King, and Smith of Clatsop—4.

So the rules were suspended and senate bill No. 95 was read second time by title only.

Senate bill No. 95 was referred to the committee on judiciary.

Senate bill No. 96 coming on for second reading, was read second time.

Senate bill No. 96 was referred to the committee on judiciary.

Senate bill No. 97 coming on for second reading, Senator Max-

well moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators King and Huston—2.

So the rules were suspended and senate bill No. 97 was read second time by title only.

Senate bill No. 97 was referred to the committee on education.

Senate bill No. 98 coming on for second reading, was read second time.

Senate bill No. 98 was referred to the committee on judiciary.

Senate bill No. 99 coming on for second reading, was read second time.

Senate bill No. 99 was referred to the committee on claims.

Senate bill No. 100 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Huston, King, McClung, and Raley—4.

So the rules were suspended and senate bill No. 100 was read second time by title only.

On motion of Senator Steiwer, senate bill No. 100 was ordered engrossed and to third reading tomorrow.

Senate bill No. 101 coming on for second reading, was read second time.

Senate bill No. 101 was referred to the committee on military affairs.

Senate bill No. 102 coming on for second reading, Senator Smith of Clatsop moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,

Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and King—2.

So the rules were suspended and senate bill No. 100 was read second time by title only.

Senate bill No. 102 was referred to the committee on municipal corporations.

Senate bill No. 103 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Huston—1.

So the rules were suspended and senate bill No. 103 was read second time by title only.

On motion of Senator Gowan, senate bill No. 103 was ordered engrossed and to third reading tomorrow.

Senate bill No. 105 coming on for second reading, was read second time.

Senate bill No. 105 was referred to the committee on judiciary.

Senate bill No. 106 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Denny, Gesner, Hobson, and Huston—4.

So the rules were suspended and senate bill No. 106 was read second time by title only.

On motion of Senator Gesner, senate bill No. 106 was referred to a special committee, consisting of the senators from Marion, Clackamas, and Linn counties.

On motion of Senator Patterson, a recess was taken by the senate until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 26, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present except Representatives Scott and Templeton, they having paired on the vote for United States senator.

Mr. Paxton moved that the reading of the journal of yesterday's proceedings be dispensed with.

The motion prevailed.

Senator Huston withdrew the name of Hon. A. S. Bennett as a candidate for United States senator for Oregon.

Senator Cogswell placed in nomination for the office of United States senator for Oregon, the name of Hon. J. K. Weatherford.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon in the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for United States senator.

The roll was called, and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Burke, Coon, Guild, Hillegas, Patterson of Grant, Smith of Linn, and Wright—8.

Those voting for Hon. George H. Williams were: Messrs. Baker, Cooper, Keyt, and Lyle—4.

Those voting for Hon. Frank A. Moore were: Messrs. Barkley, Boothby, Cole, Lester, McClung, and Yates—6.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. H. L. Barkley were: Messrs. Craig, Curtis, and Johnson—3.

Those voting for Hon. Wm. P. Lord were: Messrs. Dunn and Rinearson—2.

Those voting for Hon. S. A. Lowell were: Messrs. Gurdane, Tigard, and Hope—3.

Those voting for Hon. Joseph Simon were: Mr. Gates—1.

Those voting for Hon. Thomas H. Tongue were: Mr. Hofer—1.  
Absent—Messrs. Templeton and Scott—2.

Whole number of votes cast—88.

The president declared that as no person received a majority of all the votes cast, there had been no election.

On motion of Mr. Hofer, the joint convention adjourned.

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IN THE SENATE.

The senate was called to order by the president.

Senator Woodard moved that when the senate adjourns it adjourn until Monday, January 28, 1895, at 11:55 o'clock a. m.

The motion prevailed.

On motion of Senator McGinn, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

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MONDAY, JANUARY 28, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

The senate was called to order at 11:55 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.



On motion of Senator Maxwell, the reading of the journal of yesterday's proceedings was dispensed with.

The following communication was received from the superintendent of the state insane asylum:—

COMMUNICATION.

OREGON STATE INSANE ASYLUM, }  
SALEM, Oregon, }  
January 26, 1895. }

*The Honorable President and Members of the Oregon State Senate:*

GENTLEMEN: You are cordially invited to visit the Oregon state insane asylum at any time during your entire session, either severally or collectively, and inspect or otherwise examine any or all features of the institution, during which every possible facility will be afforded and every courtesy tendered.

Very respectfully,

L. L. ROWLAND,  
Superintendent Oregon state insane asylum.

On motion of Senator Bancroft, the invitation extended in the communication was accepted.

The following communication was received from the legislative assembly of the state of Washington:—

COMMUNICATION.

SENATE CHAMBER, }  
OLYMPIA, Wash., }  
January 26, 1895. }

*Mr. President:*

I am directed to inform you that the fourth regular biennial session of the legislative assembly of the state of Washington has passed senate concurrent resolution No. 6, relating to a joint committee on fisheries, a copy of which is enclosed herewith. The president of the senate has appointed on the part of the senate, Senators Megler and Shaw; and the speaker of the house has appointed on the part of the house, Representatives Bush, Hanford, and Ham.

You will please fix the time that you desire for conference, and notify this body.

I have the honor to be, very respectfully,

F. G. NICKLIN,  
Secretary of the senate.

SENATE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That a joint committee, consisting of two members of the senate fisheries committee and three members of the house fisheries committee, be appointed for the purpose of conferring with a like joint committee appointed by the legislature of the state of Oregon, to devise and report to this legislature such bills as may be deemed necessary to the interests of the fishing business on the Columbia river and its tributaries, and that the secretary of the senate and the clerk of the house are instructed to report to the legislature of the state of Oregon the appointment of this committee, and that the committee of the Oregon legislature be invited to visit this city for the purpose of holding said meeting.

Adopted by the senate January 21, 1895.

Adopted by the house January 24, 1895.

On motion of Senator Maxwell, the communication was referred to the committee on fishing industries.

On motion of Senator McGinn, the courtesies of the senate were extended to Hon. A. Bush, and he was invited to a seat within the bar.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of January 28, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present except Representatives Scott and Templeton, who were absent on account of illness.

Mr. Paxton announced that Messrs. Scott and Templeton were paired on the vote for United States senator for today only.

On motion of Representative Myers, the reading of the journal of the proceedings of the joint convention of Saturday, January 26, 1895, was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon at the joint convention of Saturday, there had been no election,

and directed that the roll of the joint convention be called for the purpose of voting for a United States senator.

The roll was called, and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Dunn, Hofer, and Lester—4.

Those voting for Hon. F. A. Moore were: Messrs. Boothby, Wright, and Yates—3.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Baker, Coon, Cooper, Gates, Guild, Keyt, Lyle, and Tigard—8.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Burke, Cole, Craig, Curtis, Hillegas, McClung, Patterson of Grant, and Smith of Linn—9.

Those voting for Hon. S. A. Lowell were: Messrs. Gurdane and Hope—2.

Those voting for Hon. H. L. Barkley were: Messrs. Johnson and Rinearson—2.

Absent—Messrs. Scott and Templeton—2.

Whole number of votes cast—88.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Senator McGinn, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:40 o'clock p. m. by the president.

Senator Denny, chairman of the special committee to whom was referred house concurrent resolution No. 16, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your special committee, to whom was referred house concurrent resolution No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate concur.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the resolution was concurred in.

On motion of Senator McGinn, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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TUESDAY, JANUARY 29, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. Mr. Grannis.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

The president announced that Senator Steiwer, by request, had been released as a member of the committee on the part of the senate under house concurrent resolution No. 9, and that Senator McClung had been appointed in his place on the committee.

On motion of Senator Cogswell, the vote by which senate bill No. 6 was ordered engrossed and to third reading tomorrow, was reconsidered.

On motion of Senator Huston, the minority report to senate bill No. 6 was ordered printed.

On motion of Senator Cogswell, senate bill No. 6, with accompanying reports, were laid on the table.

Senate bill No. 166. Senator Carter. (By unanimous consent.) A bill for an act to amend an act entitled an act to create

the county of Lincoln, and to fix the salaries of county judge and treasurer thereof.

Senate bill No. 166 was read first time and passed to second reading without question.

Senator Carter moved that the rules be further suspended and that senate bill No. 166 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Gesner, and Patterson—3.

So the rules were suspended and senate bill No. 166 was read second time by title only.

On motion of Senator Carter, senate bill No. 166 was considered engrossed and passed to third reading.

Senator Carter moved that the rules be further suspended and that senate bill No. 166 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Butler, and Patterson—3.

So the rules were suspended and senate bill No. 166 was read third time and placed on final passage.

The question being, "Shall the bill pass," the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Holt—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 167. Senator Dawson. (By unanimous consent.) A bill for an act to appropriate money for the relief of Mrs. Iretta Hutchinson and Mrs. G. Williams, heirs of B. F. Hutchinson, deceased.

Senator Dawson moved that the rules be suspended and that senate bill No. 167 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Butler—1.

So the rules were suspended and senate bill No. 167 was read first time by title only and passed to second reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 79, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

That between the word "state," in line two, section 16, and the words "duly authenticated copy," in line three of said section 16, be inserted the following: "territory or nation shall, before commencing to do business in this state, file with the secretary of this state a."

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendment was adopted.

On motion of Senator Denny, senate bill No. 79 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 20, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 20 was indefinitely postponed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 7 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 26, beg leave to report that we have had the same under con-



sideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 26 was laid on the table.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 28, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 28 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 48, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 48 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 65 was laid on the table.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 76, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 76 was laid on the table.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house concurrent resolution No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do not concur.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the senate refused to concur in house concurrent resolution No. 15.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 21, providing a joint committee on the part of the house and senate to investigate the sale of school and swamp lands.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 21.

Whereas grave and serious charges have been made through the public press, and by direct allegation by individuals, claiming to have personally acknowledged that the school, lieu, and swamp lands are largely handled by a syndicate instead of going to the people and being utilized by actual settlers, and contrary to the spirit of the law of the state of Oregon; be it

*Resolved*, That a joint committee consisting of three members of the house and two members of the senate be appointed to investigate as to whether or not the school lands of this state are largely passing into the hands of syndicates, and as to whether or not any persons are attempting to control the disposal of the same, and to report to this house at the earliest possible date the result of said investigation.

On motion of Senator Patterson, the resolution was referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has made the following appointments:—

Under house concurrent resolution No. 3, Representatives Cleeton, Smith of Linn, and Stanley.

Under house concurrent resolution No. 5, Representatives Smith of Polk, Meyers, and Patterson.

Under house concurrent resolution No. 6, Representatives Myers, Bridges, and Calvert.

Under house concurrent resolution No. 9, Representatives Cole and Wright.

Under senate concurrent resolution No. 4, Representatives Daly, Gates, and Stewart.

Under senate concurrent resolution No. 13, Representatives Sehlbrede, Smith of Clackamas, and Templeton.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 19, relating to the appointment of a committee on the part of the house and senate to investigate the selection of schoolbooks for the public schools of the state.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 19.

Whereas the resolution offered by two members of the house have been presented to your committee by which grave and serious charges have been made whereby the common schools of the state of Oregon (it is charged) have been invaded by various parties, who are desirous of using the public schools for mercenary motives; and whereas two representative gentlemen, members of the house, have appeared before your committee, and asked that an investigation be made; and whereas your committee are of the unanimous opinion that the public schools are the most sacred trust left to our care and protection under the constitution; and whereas your committee are of the unanimous opinion that if any investigation is made it should be sufficiently broad to reach every person, corporation, association, or agent; and whereas your committee are also of the opinion that the various book companies, agents, and interested parties should be investigated, and that

neither of the resolutions above referred to are sufficiently broad for that purpose; therefore, be it

*Resolved by the House, the Senate concurring,* That a joint committee of five be appointed, to consist of three representatives on the part of the house and two senators on the part of the senate, who are authorized to hold sessions at Salem, Oregon, and to examine into the conduct and manner of all matters leading up to the selection of schoolbooks for the public schools of the state of Oregon; and the said committee is hereby empowered to compel the attendance of witnesses in any and all of the foregoing matters and things, administer oaths, take testimony, and do any or all things pertaining to the welfare of the public schools of the state of Oregon and germane to the subject matter involved in this investigation; and the said committee are empowered to employ one stenographer, at an expense not to exceed five dollars per day for each day actually employed.

On motion of Senator McGinn, house concurrent resolution No. 19 was referred to the committee on revision of laws.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 25, relating to the appointment of a joint committee on the part of the house and senate to investigate the Oregon world's fair commission and employ clerical aid.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 25.

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the house and two on the part of the senate be appointed to investigate the acts and doings of the Oregon world's fair commission, with power to employ clerical aid and report to the legislature.

On motion of Senator Raley, house concurrent resolution No. 25 was referred to the committee on revision of laws.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 5, memorializing congress to replace duty on wool, lumber, and barley.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE JOINT MEMORIAL NO. 5.

Whereas the present congress of the United States has removed the tariff on wool, lumber, and barley; and whereas the removal of the tariff on the said articles is working a great hardship on the people of this state; therefore, be it

*Resolved by the House, the Senate concurring,* That our senators and representatives in congress are requested to use all honorable means to secure at an early date the reënactment of a law placing a duty on the said articles of wool, lumber, and barley for the protection of our home producers.

*Resolved,* That the governor be requested to forward a copy of the foregoing resolution to each of our senators and representatives in congress.

On motion of Senator Alley, house joint memorial No. 5 was referred to the committee on revision of laws.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 29, 1895. }

*Mr. President:*

I am directed by the speaker to comply with your request, and therefore herewith return to you senate joint resolution No. 4 and senate joint resolution No. 13.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 28, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed

house bill No. 41,—a bill for an act authorizing certain school districts to borrow money and to issue negotiable evidences of indebtedness therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 26, providing for a joint committee on the part of the house and senate to investigate the feasibility of moving the deaf-mute school into the country.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE-CONCURRENT RESOLUTION NO. 26.

Inasmuch as there is much dissatisfaction expressed by the patrons and pupils of the deaf-mute school and influential citizens throughout the state, concerning the recent location of that institution; and inasmuch as there are over two thousand petitioners from various parts of the state praying that this legislature devise a plan whereby said school may be retained within the suburbs of the city of Salem.

*Resolved by the House, the Senate concurring,* That a committee, consisting of three members of the house and two from the senate, be appointed to investigate the feasibility of moving said school into the country, and in case said committee shall find that said petitioners have just and righteous cause for complaint, said committee is requested to report to this legislature, if possible, within five days from the above date.

On motion of Senator Bancroft, house concurrent resolution No. 26 was referred to the committee on ways and means.

The president announced that he was about to sign house bill No. 41, and soon thereafter declared that he had signed the same.

By unanimous consent, Senator Patterson, chairman of the committee on fishing industries, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on fishing industries, to whom was referred a communication from the Washington legislature, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be referred to a committee appointed under senate concurrent resolution No. 11.

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, the communication was referred to the special committee under senate concurrent resolution No. 11.

Senator Patterson, chairman of the committee on fishing industries, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house concurrent resolution No. 20, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendment:

## AMENDMENT.

Strike out all of the resolution after the word "concurring," in second line, and insert in lieu thereof the following: "That the committee on fishing industries of the senate and the committee on fishing industries of the house be and hereby are authorized and directed as a joint committee to visit such places on the Columbia and Clackamas rivers as they may deem advisable, for the purpose of making such an investigation and acquiring such information as they may consider necessary to enable them to determine what legislative relief is necessary for the preservation of such industry, and that they be allowed no clerk hire other than such as already belongs to them."

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, the amendment to house concurrent resolution No. 20 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 176,—a bill for an act to amend the act incorporating the town of Mt. Angel.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 18,—a bill for an act to incorporate the town of Gold Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 168. Senator Gowan. (By unanimous consent.) A bill for an act to amend section 3673 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Gowan moved that the rules be suspended and senate bill No. 168 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and McGinn—2.

So the rules were suspended and senate bill No. 168 was read first time by title only and passed to second reading.

Senate bill No. 169. Senator Woodard, by request. (By unanimous consent.) A bill for an act to protect the native song birds within the state of Oregon.

Senate bill No. 169 was read first time and passed to second reading without question.

Senate bill No. 170. Senator McAlister. (By unanimous consent.) A bill for an act amending section 2297 of Hill's annotated laws of Oregon, relating to the salaries of circuit judges, providing for conditions of payment of the same, and fixing a time for rendering decisions in all cases.

Senate bill No. 170 was read first time and passed to second reading without question.

Senate bill No. 171. Senator Huston. (By unanimous consent.) A bill for an act for the relief of Washington county.

Senate bill No. 171 was read first time and passed to second reading without question.

Senate bill No. 172. Senator Gesner. (By unanimous consent.) A bill for an act for the erection of additional buildings and the making of improvements for the Oregon soldiers' home, and to make an appropriation therefor.

Senator Gesner moved that the rules be suspended and that senate bill No. 172 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 172 was read first time by title only and passed to second reading.

Senate bill No. 173. Senator Denny, by request. (By unanimous consent.) A bill for an act to provide for the employment of the convicts in the state penitentiary, and to encourage the cultivation of sugar beets, and the manufacture of sugar from beets, in the state of Oregon.

Senate bill No. 173 was read first time and passed to second reading without question.

Senate bill No. 174. Senator Steiwer. (By unanimous consent.) A bill for an act for the relief of Gilliam county, and for the reimbursement of said county for money paid to the state as taxes upon property upon which said county could collect no taxes by reason of erroneous assessments.

Senator Steiwer moved that the rules be suspended and that senate bill No. 174 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 174 was read first time by title only and passed to second reading.

Senate bill No. 175. Senator Smith of Clatsop. (By unanimous consent.) A bill for an act to amend section 1950 of the general laws of Oregon, as compiled and annotated by William Lair Hill, relating to the obstruction of the immigration of fish in streams.

Senate bill No. 175 was read first time and passed to second reading without question.

Senate bill No. 176. Senator Gowan. (By unanimous consent.) A bill for an act entitled an act to amend section 3587 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Gowan moved that the rules be suspended and that senate bill No. 176 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Holt and Raley—2.

So the rules were suspended and senate bill No. 176 was read first time by title only and passed to second reading.

Senate bill No. 177. Senator Gowan. (By unanimous consent.) A bill for an act entitled an act to amend section 1784 of the criminal code, Hill's annotated laws of Oregon.

Senator Gowan moved that the rules be suspended and that senate bill No 177 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Maxwell and Raley—2.

So the rules were suspended and senate bill No. 177 was read first time by title only and passed to second reading.

Senate bill No. 178. Senator Brownell. (By unanimous consent.) A bill for an act for the purpose of inspecting and regulating the measurement of logs in the state of Oregon.

Senator Brownell moved that the rules be suspended and that senate bill No. 178 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Carter, and Raley—3.

So the rules were suspended and senate bill No. 178 was read first time by title only and passed to second reading.

On motion of Senator Vanderburg, the courtesies of the senate were extended to Hon. Wm. D. Hare, and he was invited to a seat within the bar.

Senate bill No. 179. Senator Cogswell. (By unanimous consent.) A bill for an act to enable a married woman to dispose of her real estate held in her own right and bar her husband of curtesy, and amending section 3067 of Hill's code to that effect.

Senate bill No. 179 was read first time and passed to second reading without question.

Senate bill No. 180. Senator Smith of Clatsop, by request. (By unanimous consent.) A bill for an act to provide for the selection and services of judges *pro tempore*.

Senate bill No. 180 was read first time and passed to second reading without question.

Senate bill No. 181. Senator McClung. (By unanimous consent.) A bill for an act requiring county recorders, etc., to keep a receiving book.

Senate bill No. 181 was read first time and passed to second reading without question.

Senate bill No. 182. Senator Alley. (By unanimous consent.) A bill for an act to amend an act entitled "An act to incorporate the town of Florence, Lane county, state of Oregon."

Senate bill No. 182 was read first time and passed to second reading without question.

Senator Alley moved that the rules be further suspended and that senate bill No. 182 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Butler—1.

So the rules were suspended and senate bill No. 182 was read second time by title only.

On motion of Senator Alley, senate bill No. 182 was ordered engrossed and to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 29, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 130,—a bill for an act changing the name of East Cottage Grove to the city of Lemati, and amending the charter.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 104 coming on for second reading, Senator Alley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, King, and Patterson—3.

So the rules were suspended and senate bill No. 104 was read second time by title only.

Senate bill No. 104 was referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 107 coming on for second reading, was read second time.

Senate bill No. 107 was referred to the committee on judiciary.

Senate bill No. 108 coming on for second reading, Senator Maxwell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Butler—1.

So the rules were suspended and senate bill No. 108 was read second time by title only.

Senate bill No. 108 was referred to the committee on medicine, pharmacy, and denistry.

Senate bill No. 109 coming on for second reading, was read second time.

Senate bill No. 109 was referred to the committee on judiciary.

Senate bill No. 110 coming on for second reading, Senator Gowan moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Alley—1.

So the rules were suspended and senate bill No. 110 was read second time by title only.

Senate bill No. 110 was referred to the committee on judiciary.

Senate bill No. 112 coming on for second reading, was read second time.

On motion of Senator Cogswell, senate bill No. 112 was ordered engrossed and to third reading tomorrow.

Senate bill No. 113 coming on for second reading, was read second time.

Senate bill No. 113 was referred to the committee on roads and highways.

Senate bill No. 114 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.



On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 27.

Nays — None.

Absent — Senators Alley, Butler, and Raley — 3.

So the rules were suspended and senate bill No. 114 was read second time by title only.

Senate bill No. 114 was referred to the committee on revision of laws.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 8, 13, 14, and 42, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 6, 21, 24, 37, 5, 23, 63, 87, 51, 100, and 103, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 115 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Butler, and Raley—3.

So the rules were suspended and senate bill No. 115 was read second time by title only.

On motion of Senator Steiwer, senate bill No. 115 was ordered engrossed and to third reading tomorrow.

Senate bill No. 116 coming on for second reading, was read second time.

Senate bill No. 116 was referred to the committee on judiciary.

Senate bill No. 117 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Butler, Huston, and Raley—4.

So the rules were suspended and senate bill No. 117 was read second time by title only.

Senate bill No. 117 was referred to the committee on judiciary.

Senate bill No. 118 coming on for second reading, was read second time.

Senate bill No. 118 was referred to the committee on public lands.

Senate bill No. 119 coming on for second reading, was read second time.

Senate bill No. 119 was referred to the committee on judiciary.

Senate bill No. 120 coming on for second reading, was read second time.

Senate bill No. 120 was referred to the committee on judiciary.

Senate bill No. 121 coming on for second reading, Senator Maxwell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Denny, Hobson, Patterson, and Price—5.

So the rules were suspended and senate bill No. 121 was read second time by title only.

Senate bill No. 121 was referred to the committee on education.

On motion of Senator McClung, a recess was taken by the senate until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, for the purpose of voting for United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 29, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Conn and Scott, who were absent on account of sickness, and were announced as being paired.

On motion of Representative Myers, the reading of the journal of the joint convention of yesterday was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon in the joint convention of yesterday, there had been no election, and directed the calling of the roll of the joint convention for the purpose of voting for United States senator.

The roll was called, and the vote was:

Those voting for Hon. J. N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton,

Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Boothby, Craig, Curtis, and Dunn—5.

Those voting for Hon. F. A. Moore were: Messrs. Wright and Yates—2.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Burke, Cole, Hillegas, McClung, Patterson of Grant, and Smith of Linn—7.

Those voting for Hon. Geo. H. Williams were: Messrs. Baker, Coon, Cooper, Gates, Guild, Hofer, Keyt, Lyle, Rinearson, and Tigard—10.

Those voting for Hon. S. A. Lowell were: Messrs. Gurdane, Hope, and Lester—3.

Those voting for Hon. H. L. Barkley were: Mr. Johnson—1.  
Absent—Representatives Conn and Scott—2.

Total number of votes cast—88.

The president declared that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Hope, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order by the president.

Senator McGinn moved that the senate adjourn until tomorrow morning at 10 o'clock.

Senator Huston moved to amend to 3 o'clock this afternoon.

Amendment carried.

The motion to adjourn as amended carried, and the senate adjourned until 3 o'clock p. m.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

The senate was called to order at 3 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present except Senators Beckley and McClung.

Senate bill No. 183. Senator Steiwer. (By unanimous consent.) A bill for an act to protect chinook, steelhead, blueback, silverside, and all other species of salmon in the state of Oregon, and upon all waters over which the state has concurrent jurisdiction; to regulate fish traps, weirs, pound nets, gill nets, set nets, fish wheels, seines, or other appliances or gear for catching chinook, steelhead, blueback, silverside, or other species of salmon on or in the waters within the state, or over which the state has concurrent jurisdiction; providing for the licensing thereof and the disposition of the funds arising therefrom; to provide for the appointment of a fish commissioner, defining his duties and fixing his salary; and to repeal sections 3499, 3500, 3501, 3502, 3503, 3504, and 3505 of title III, chapter XLII of the laws of Oregon, as compiled and annotated by William Lair Hill; and to repeal an act entitled "An act to protect and promote the fishing industry of the state of Oregon, and to collect money from certain persons engaged in said industry to be used to protect and promote the same," filed in the office of the secretary of state February 16, 1891; and to repeal an act entitled "An act to provide for a more effective protection of game, fish, and song birds, for the appointment of a game and fish protector, and to define his duties; and to repeal an act entitled 'An act to provide for the propagation and preservation of salmon and food fishes in the public waters of the state of Oregon, including so much of the streams which form common boundaries between said state and adjacent territories, and appropriating money therefor; also for the appointment of a fish commissioner,' approved February 18, 1887," filed in the office of the secretary of state February 22, 1893; and to repeal an act entitled "An act to protect salmon and other food fishes in the state of Oregon, and upon all waters upon which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497, and 3498 of Hill's annotated laws of Oregon," approved February 16, 1891.

Senator Steiwer moved that the rules be suspended and that senate bill No. 183 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Johnson, Maxwell, and McClung—3.

So the rules were suspended and senate bill No. 183 was read first time by title only and passed to second reading.

Senate bill No. 184. Senator Holt. (By unanimous consent.) A bill for an act to amend section 4065 of title I, chapter LXXVI of the miscellaneous laws of Oregon, as compiled and annotated laws of Oregon, as compiled and annotated by W. Lair Hill.

Senator Holt moved that the rules be suspended and that senate bill No. 184 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Maxwell—1.

So the rules were suspended and senate bill No. 184 was read first time by title only and passed to second reading.

On motion of Senator Raley, the courtesies of the senate were extended to the Hon. M. C. George, and he was invited to a seat within the bar.

Senate bill No. 185. Senator Dawson. (By unanimous consent.) A bill for an act to incorporate the city of Albany.

Senator Dawson moved that the rules be suspended and that senate bill No. 185 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Butler, and Price—3.

So the rules were suspended and senate bill No. 185 was read first time by title only and passed to second reading.

Senate bill No. 186. Senator Gesner. (By unanimous consent.) A bill for an act to authorize and provide for the construction of a sewer for the relief of the sewer now used for the sewerage and drainage of the state insane asylum, state penitentiary, and state house.

Senator Gesner moved that the rules be suspended and that senate bill No. 186 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Price—1.

So the rules were suspended and senate bill No. 186 was read first time by title only and passed to second reading.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred house concurrent resolution No. 25, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

H. E. MCGINN,  
Chairman,

On motion of Senator McGinn, the resolution was concurred in.

The president appointed Senators Patterson and Raley on the part of the senate on the special committee under house concurrent resolution No. 25.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 33, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.



On motion of Senator Cogswell, senate bill No. 33 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 31, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pas.

H. E. MCGINN,  
Chairman.

On motion of Senator Cogswell, senate bill No. 31 was ordered engrossed and to third reading tomorrow.

By unanimous consent, Senator Carter introduced senate joint memorial No. 4.

SENATE JOINT MEMORIAL NO. 4.

*To the Honorable Senate and House of Representatives of the United States, in Congress assembled:* Your memorialist, the legislature of the state of Oregon, most respectfully represent:

Whereas the upper Willamette river and its navigable tributaries from Corvallis, Munroe, Harrisburg, Eugene, and other points in the southern Willamette valley, drain seven hundred and fifty square miles of the choicest agricultural and horticultural lands in the state of Oregon; and whereas this large and fertile region is practically without means of water transportation for six or nine months in each year; therefore, be it

*Resolved by the Senate, the House concurring,* That our senators and representatives in congress are hereby earnestly requested to secure a sufficient appropriation of money from the general government for the purpose of removing the obstructions in the Willamette river from Corvallis to Eugene, and also removing the obstructions in the Long Tom river, a navigable tributary from its mouth to the town of Munroe, in Benton county.

*Resolved,* That the secretary of state be and is hereby instructed to furnish a copy of this memorial and resolution to each of our senators and representatives in congress at the earliest practicable day.

Senate bill No. 187. Senator Patterson. (By unanimous consent.) A bill for an act to provide for transportation of convicts and insane to the penitentiary and asylum.

Senator Patterson moved that the rules be suspended and senate bill No. 187 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Butler, Carter, Johnson, and Price—5.

So the rules were suspended and senate bill No. 187 was read first time by title only and passed to second reading.

Senate bill No. 188. Senator Steiwer. (By unanimous consent.) A bill for an act to amend section 2762 of Hill's annotated laws of Oregon.

Senate bill No. 188 was read first time and passed to second reading without question.

Senate bill No. 189. Senator Vanderburg. (By unanimous consent.) A bill for an act to regulate the rights of employers and employes, and to protect the rights of laborers and business men.

Senator Vanderburg moved that the rules be suspended and senate bill No. 189 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Dawson—2.

So the rules were suspended and senate bill No. 189 was read first time by title only and passed to second reading.

Senate bill No. 122 coming on for second reading, Senator Bancroft moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston,

Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 29.

Nays—None.

Absent—Senator Butler—1.

So the rules were suspended and senate bill No. 122 was read second time by title only.

Senate bill No. 122 was referred to the committee on judiciary.

Senator Raley, by unanimous consent, introduced senate joint resolution No. 4.

#### SENATE JOINT RESOLUTION NO. 4.

*Resolved by the Senate, the House concurring,* That a joint committee, consisting of two members of the senate and three from the house, be appointed to receive from the owners of property contiguous or adjacent to the state capitol grounds sealed proposals for the sale of such property to the state, in fee simple, to be used by the state of Oregon as an executive residence, and to report to this legislature by bill or otherwise.

On motion of Senator Raley, the resolution was adopted.

Senate bill No. 123 coming on for second reading, was read second time.

Senate bill No. 123 was referred to the committee on assessment and taxation.

Senate bill No. 124 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Gesner—2.

So the rules were suspended and senate bill No. 124 was read second time by title only.

Senate bill No. 124 was referred to the committee on railways.

Senate bill No. 125 coming on for second reading, Senator Holt moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogs-

well, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Carter, and King—3.

So the rules were suspended and senate bill No. 125 was read second time by title only.

Senate bill No. 125 was referred to the committee on assessment and taxation.

Senate bill No. 126 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, King, and McGinn—3.

So the rules were suspended and senate bill No. 126 was read second time by title only.

Senate bill No. 126 was referred to the committee on agriculture and forestry.

Senate bill No. 127 coming on for second reading, Senator Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, King, and McGinn—3.

So the rules were suspended and senate bill No. 127 was read second time by title only.

Senate bill No. 127 was referred to the committee on judiciary.

On motion of Senator Denny, the vote by which senate bill No. 79 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Denny, senate bill No. 79 was re-referred to the committee on judiciary.

Senate bill No. 128 coming on for second reading, Senator Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and McGinn—2.

So the rules were suspended and senate bill No. 128 was read second time by title only.

Senate bill No. 128 was referred to the committee on judiciary.

Senate bill No. 129 coming on for second reading, Senator Calbreath moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators McGinn and Smith of Clatsop—2.

So the rules were suspended and senate bill No. 129 was read second time by title only.

Senate bill No. 129 was referred to the committee on judiciary.

Senate bill No. 130 coming on for second reading, was read second time.

Senate bill No. 130 was referred to the committee on judiciary.

Senate bill No. 131 coming on for second reading, Senator Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Maxwell, McGinn, and Raley—3.

So the rules were suspended and senate bill No. 131 was read second time by title only.

Senate bill No. 131 was referred to the committee on judiciary.

Senate bill No. 132 coming on for second reading, was read second time.

Senate bill No. 132 was referred to the committee on revision of laws.

Senate bill No. 133 coming on for second reading, was read second time.

Senate bill No. 133 was referred to the committee on revision of laws.

Senate bill No. 134 coming on for second reading, Senator Carter moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Maxwell and McGinn—2.

So the rules were suspended and senate bill No. 134 was read second time by title only.

Senate bill No. 134 was referred to the committee on medicine, pharmacy, and dentistry.

Senator Raley, chairman of the special committee to whom was referred senate bill No. 83, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 83, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

After the word "Clatsop," in line nine of printed bill, strike out the word "and."

## AMENDMENT.

After the word "Marion," in same line, insert the words "and Lincoln."

## AMENDMENT.

After the words "and in the," in line fourteen, strike out the word "county" and insert "counties."

## AMENDMENT.

After the word "Umatilla," in line fourteen of printed bill, insert the words "Baker and Malheur."

J. H. RALEY,  
Chairman.

On motion of Senator Raley, the report was adopted.

On motion of Senator Price, senate bill No. 83 was re-referred to the special committee.

Senator Woodard, chairman of the committee on penal institutions, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1895. }

*Mr. President:*

Your committee on penal institutions, to whom was referred senate bill No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Woodard, senate bill No. 2 was ordered engrossed and to third reading tomorrow.

On motion of Senator Gowan, the vote by which senate bill No. 42 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Gowan, senate bill No. 42 was re-referred to the committee on military affairs.

On motion of Senator Steiwer, the courtesies of the senate were extended to Hon. A. S. Bennett, and he was invited to a seat within the bar.

On motion of Senator Brownell, senate joint memorial No. 2 was taken from the table.



Senator Brownell moved the adoption of senate joint memorial No. 2.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—Senators Raley and Smith of Sherman—2.

Absent—Senators Butler, Huston, King, Maxwell, McGinn, and Vanderburg—6.

So senate joint memorial No. 2 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed, under house concurrent resolution No. 25, Messrs. McCracken, Blundell, and Barkley as the committee on the part of the house.

R. E. MOODY,  
Chief clerk.

On motion of Senator Raley, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

WEDNESDAY, JANUARY 30, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. A. L. Hutchinson.

On motion of Senator Calbreath, the reading of the journal of the proceedings of yesterday was dispensed with.

Senate bill No. 8 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Beckley, Holt, Johnson, and King—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 37 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Beckley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 14 coming on for third reading, was read third time.

Unanimous consent being given, Senator Butler amended senate bill No. 14 as follows:—

#### AMENDMENT.

Strike out the words "and public highways," in title of the bill, and "or public highways used for road purposes," in section 1 of the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,

Carter, Dawson, Denny, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, and Mr. President—21.

Nays—Senators Cogswell, Gesner, Huston, McGinn, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 21 coming on for third reading, Senator Johnson moved that the vote by which senate bill No. 21 was ordered engrossed and to third reading tomorrow be reconsidered.

The motion prevailed.

Senator Johnson submitted the following amendment to senate bill No. 21:—

#### AMENDMENT.

Insert after the word "sale," in line five of printed bill, the following, viz.: "if redeemed within the first year, and fifteen per centum per annum if redeemed thereafter."

On motion of Senator Johnson, the amendment was adopted.

On motion of Senator Johnson, senate bill No. 21 was ordered engrossed and to third reading tomorrow.

Senate bill No. 24 coming on for third reading, was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Hobson, Holt, Johnson, King, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—20.

Nays—Senators Brownell, Cogswell, Huston, Maxwell, Patterson, Raley, Smith of Sherman, and Mr. President—8.

Absent—Senators Gowan and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 5 coming on for third reading, was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of

Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—25.

Nays—Senators Beckley, Johnson, and Woodard—3.

Absent—Senators Denny and McAlister—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 23 coming on for third reading, was read third time.

On motion of Senator Cogswell, senate bill No. 23 was made a special order for 3 o'clock p. m. today.

Senator Gowan, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 42, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Amend by inserting after the word "person," in line one, section 1, the words "other than parent or guardian."

#### AMENDMENT.

Amend by striking out the word "sixteen," in line two, section 1, and inserting in lieu thereof the word "fifteen."

#### AMENDMENT.

Amend by inserting in line one, section 2, the words "other than such parent or guardian."

A. W. GOWAN,  
Chairman.

On motion of Senator Gowan, the amendments were adopted.

On motion of Senator Gowan, senate bill No. 42 was ordered engrossed and to third reading tomorrow.

Senator Raley, chairman of the special committee to whom

was referred senate bill No. 162, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 162, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. RALEY,  
Chairman.

On motion of Senator Raley, senate bill No. 162 was ordered engrossed and to third reading tomorrow.

Senator Gowan, chairman of the special committee to whom was referred senate bill No. 60, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 60, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "of," in line two of section 3 of printed bill, strike out the word "two" and insert the word "six."

AMENDMENT.

After the word "qualified," in line four of section 3, strike out the remainder of said line four, all of line five, all of line six, and all of line seven up to and including the word "qualified."

AMENDMENT.

In line three, section 4 of printed bill, after the word "on," strike out the word "second" and insert the word "fourth."

## AMENDMENT.

After the word "the," in line three of section 4 of printed bill, strike out the word "first" and insert the word "fourth."

## AMENDMENT.

In line four of section 4, after the word "the," strike out the word "second" and insert the word "fourth."

## AMENDMENT.

In line four of section 4, after the word "the," strike out the word "second" and insert the word "first."

## AMENDMENT.

In the same line, after the word "in," strike out the word "March" and insert the word "February."

## AMENDMENT.

In line five of section 4, after the word "the," strike out the word "second" and insert the word "first."

## AMENDMENT.

After the word "in," in the same line, strike out the word "July" and insert the word "June."

## AMENDMENT.

After the word "in," in same line, strike out the word "December" and insert the word "October."

## AMENDMENT.

After the word "after," in line two of section 8, insert the words "thirty days after."

A. W. GOWAN,  
Chairman.

On motion of Senator Gowan, the amendments to senate bill No. 60 were adopted.

On motion of Senator Gowan, senate bill No. 60 was ordered engrossed and to third reading tomorrow.

Senator Gowan, chairman of the special committee to whom was referred senate bill No. 45, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report the same back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

At the beginning of line three, section 5, strike out the word "third" and insert the word "first."

AMENDMENT.

After the word "of," same line, strike out the word "March" and insert the word "May."

AMENDMENT.

After the word "the," same line, strike out the word "second" and insert the word "first."

AMENDMENT.

After the word "of," same line, strike out the word "December" and insert the word "October."

AMENDMENT.

After the word "the," in line four of the same section, strike out the word "third" and insert the word "second."

AMENDMENT.

After the word "in," same line, strike out the word "May" and insert the word "June."

AMENDMENT.

After the word "the," same line, strike out the word "fourth" and insert the word "first."

AMENDMENT.

After the word "of," same line, strike out the word "November" and insert the word "December."



## AMENDMENT.

After the word "the," in line five, section 5, strike out the words "second Monday of June," and insert "third Monday of May."

## AMENDMENT.

After the word "the," same line, strike out the word "second" and insert the word "fourth."

## AMENDMENT.

After the word "after," in line two of section 9, insert the words "thirty days after."

A. W. GOWAN,  
Chairman.

On motion of Senator Gowan, the amendments were adopted.  
On motion of Senator Gowan, senate bill No. 45 was ordered engrossed and to third reading tomorrow.

Senate bill No. 63 coming on for third reading, was read third time.

On motion of Senator Holt, further consideration of senate bill No. 63 was indefinitely postponed.

Senate bill No. 87 coming on for third reading, was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and Gesner—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 51 coming on for third reading, was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Denny and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Woodard, a recess was taken until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 112, 182, 2, 115, and 14, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 30, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Conn

and Scott, who were absent on account of sickness, and were announced as being paired.

On motion of Representative Myers, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, the 29th instant, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Cooper, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Baker, Burke, Cole, Craig, Hillegas, Hofer, McClung, Patterson of Grant, and Smith of Linn—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Boothby, Curtis, Dunn, and Wright—5.

Those voting for Hon. George H. Williams were: Messrs. Coon, Gates, Keyt, Lyle, and Tigard—5.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, Hope, and Lester—4.

Those voting for Hon. Claud Gatch were: Messrs. Guild and Rinearson—2.

Those voting for Hon. H. L. Barkley were: Mr. Johnson—1.

Those voting for Hon. F. A. Moore were: Mr. Yates—1.

Absent—Messrs. Conn and Scott—2.

Whole number of votes cast—88.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Senator Gowan, the joint convention adjourned.

## IN THE SENATE.

The senate was called to order at 12:25 o'clock p. m. by the president.

On motion of Senator Cogswell, the vote by which senate bill No. 23 was made a special order of business at 3 o'clock p. m. today was reconsidered.

On motion of Senator Cogswell, the vote by which senate bill No. 23 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Cogswell, senate bill No. 23 was re-referred to the committee on judiciary.

By unanimous consent, Senator Gowan introduced senate resolution No. 13.

## SENATE RESOLUTION NO. 13.

*Be it resolved,* That the Secretary of State be authorized to draw his warrant for the sum of five (\$5.00) dollars on the state treasurer for postage for the use of the joint senate and house military investigating committee.

On motion of Senator Gowan, the resolution was adopted.

On motion of Senator McGinn, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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THURSDAY, JANUARY 31, 1895.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. W. C. Kantner of the Congregational church.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 21, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 7, 28, 42, 48, 162, 45, and 60, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 116,—a bill for an act granting more powers to the mayor and common council of Canyon City.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 136,—a bill for an act creating Vernon county, and fixing the salaries of the various officers thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in senate joint resolution No. 4, relating to the purchase of a governor's residence.

And the same is herewith returned to you.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 2 of the seventeenth biennial session of the Oregon legislature, providing for an amendment to the state constitution, by repealing section 35 of article I of the state constitution.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 2.

[SEVENTEENTH BIENNIAL SESSION.]

*Resolved by the House, the Senate concurring,* That section 35 of article I of the constitution be and is hereby repealed.

Adopted by the house January 11, 1893.

W. P. KEADY,  
Speaker of the house.

Concurred in by the senate January 30, 1893.

C. W. FULTON,  
President of the senate.

House concurrent resolution No. 2 of the seventeenth biennial session was referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 6, memorializing congress to reimburse veterans of the Yakima and Rogue-river wars.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE JOINT MEMORIAL NO. 6.

*By the House of Representatives of the Legislative Assembly of Oregon, the Senate concurring — To the Congress of the United States: We, your memorialists, respectfully represent,—That during the years 1855 and 1856 war was made upon the white settlers of the territories of Oregon and Washington, which, though known locally as the Yakima and Rogue-river wars, respectively, was in fact a collusive effort on the part of the native race to exterminate the American settlers of the north Pacific coast, during which volunteers were called out to assist the regular soldiers of the United States, and men and property were furnished by the settlers of Oregon and Washington (as found by a commission appointed by act of thirty-fourth congress, chapter CXXIX, section 11,) to the aggregate amount of six million eleven thousand four hundred and fifty-nine dollars and thirty-six cents. That this sum found due by the commission, consisting of Gen. Rufus Ingalls, U. S. A., Capt. A. J. Smith, U. S. A., and L. F. Grover, since governor of Oregon and United States senator, was scaled down arbitrarily and unjustly by the third auditor of the United States treasury, the full difference between the prices of labor and property on the Pacific and Atlantic sides of the continent at that time to the scales of the latter, thus withholding the sum of three million two hundred and ninety-six thousand six hundred and forty-three dollars and eighty-one cents lawfully and justly due the people of Oregon and Washington for the services rendered and property furnished.*

The following is section 4 of an act passed by the Oregon territorial legislature at its session of 1855–6, fixing the rate of pay for the volunteers called for, shows the local valuation of the services and property:

Section 4. Whenever such volunteers are called and received into the service of the territory by virtue of this act, each non-



commissioned officer and private shall be entitled to receive two dollars per day and rations, and two dollars per day for the use and risk of his horse and equipments, except for horses actually killed in action, unavoidably lost or reported unfit for service and turned over to the quartermaster, in which case the owner shall receive the appraised value thereof. And all commissioned officers shall receive the same pay as officers of the same rank in the army of the United States; *provided*, that commissioned officers shall receive the same pay for use and risk of horses as non-commissioned officers.

The act of which the above is an extract, contained an emergency clause, and the men who responded to the call were mainly of the patriotic frontier class, to whom the wealth-winners of the nation are much indebted. They are now nearing the end of life and only ask at your hands what was found to be justly due and arbitrarily and unjustly withheld. The men thus served are many of them old and needy, and can therefore add necessity to their plea for justice. Moreover, they do not understand why, as soldiers, they are not as well entitled to pensions and land warrants for services rendered and risks incurred as any other soldier of the republic.

We would also submit that the soldiers who served in the Cayuse war of 1847 and 1848 under the provisional government of Oregon, should receive pension on the same basis as the soldiers of the Mexican war.

In the preparation of a bill in accordance with the prayer of this memorial, our delegation in congress is respectively requested to make provision for the payment of any sum of money that may be awarded by this act, direct to each individual for whom it is intended, by the issuance in each case of a treasury warrant, payable to the order of each person above named or their assigns; said warrants to be forwarded to the treasurer of the state of Oregon, to be handed to such person upon satisfactory proof that he or she is the person for whom the said warrant is intended.

Whereas the subjects of the foregoing claim are preferred by men widely scattered, and are, therefore, unable to present their claims as individuals in the court of claims; therefore,

*Resolved*, That our representatives in congress be forwarded each a copy of this memorial, and ask their earnest service in securing the justice herein prayed for.

Senator Brownell moved that the senate concur in house joint memorial No. 6.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt,

Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the senate concurred in house joint memorial No. 6.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 2, to the effect that the Nicaragua canal should be under the control of the United States government.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE JOINT MEMORIAL NO. 2.

*To the Congress of the United States:* Whereas, the Pacific coast, and particularly the state of Oregon, would be greatly benefited by the opening up, at the earliest possible date, the Nicaragua canal; and whereas, the people of the United States, and especially of the coast, have shown much interest in the project, realizing the great benefits to be derived therefrom by shortening the route by sea from coast to coast; therefore, be it

*Resolved by the legislative assembly of the state of Oregon,* That, by the showing made in the above recited facts, such project should be under the control of the United States of America, and we therefore recommend that the same be constructed by this government, to be operated and owned exclusively by it.

*Resolved*, That a copy of this memorial, as soon as adopted be presented to our senator, who is now in Salem, and one each to our senator and representatives in Washington.

On motion of Senator Cogswell, house joint memorial No. 2 was referred to the committee on federal relations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 11, providing for an amendment to section 2 of article XI of the constitution, relating to the qualification of voters, and authorizing registration laws.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 11.

*Be it resolved by the House and Senate*, That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 2 of article XI of the constitution of Oregon be amended to read as follows:—

Section 2. In all elections not otherwise provided for by the constitution, every male citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, who can write his name, and read the constitution of the United States or of the state of Oregon in the English language, shall be entitled to vote at all elections authorized by law, but registration laws may be enacted by the legislative assembly; *provided, however*, that persons who shall be entitled to vote in this state at the time of the adoption of this amendment shall not be prevented from voting by reason of inability to read or write; *and provided, further*, that no person otherwise qualified and entitled to vote shall be prevented or disqualified from voting by reason of physical disability.

House joint resolution No. 11 was referred to the committee on privileges and elections.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 22, providing for a joint committee to visit the penal, reformatory, and charitable institutions and report, with the following amendment: "They be allowed to use their discretion in visiting the various penal, reformatory, and charitable institutions without additional clerk hire."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 22.

*Resolved by the House, the Senate concurring,* That a committee of three from the house and two from the senate be appointed to visit the penal, reformatory, and charitable institutions of the state, and report to both houses of the legislature.

On motion of Senator Bancroft, house concurrent resolution No. 22 was referred to the committee on ways and means.

Senate bill No. 190. Senator Denny, by request. (By unanimous consent.) A bill for an act to prohibit the manufacture and sale of cigarettes.

Senate bill No. 190 was read first time and passed to second reading without question.

Unanimous consent being given, Senator Denny, by request, introduced senate petition No. 2.

## SENATE PETITION NO. 2.

*To the Honorable Members of the Legislature of the State of Oregon:*

Inasmuch as the cigarette is injuring—morally, mentally, and physically—a vast number of youths of this nation, causing insanity and death to thousands without the least benefit to the consumer, we, the undersigned parents, educators, and physicians, ask your honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment.

Signed by many petitioners.

Senate petition No. 2 was referred to the committee on education.

Unanimous consent being given, Senator Vandenburg introduced senate petition No. 3.

#### SENATE PETITION NO. 3.

*To the Honorable Members of the Legislature of the State of Oregon:*

Inasmuch as the cigarette is injuring—morally, mentally, and physically,—a vast number of youth of this nation, causing insanity and death to thousands without the least benefit to the consumer, we, the undersigned parents, educators, and physicians, ask your honorable body to enact a law forbidding the sale and manufacture of cigarettes in any form in the state of Oregon, a violation of this law to be punished by heavy fine and imprisonment.

Signed by many petitioners.

Senate petition No. 3 was referred to the committee on education.

Senate bill No. 191. Senator Brownell. (By unanimous consent.) A bill for an act to amend section 2456 of Hill's annotated laws of Oregon.

Senator Brownell moved that the rules be suspended and that senate bill No. 191 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 191 was read first time by title only and passed to second reading.

Senate bill No. 192. Senator Butler. (By unanimous consent.) A bill for an act to amend section 125 of chapter X of an act entitled an act to incorporate the city of Dallas of the county of Polk and state of Oregon, filed in the office of the secretary of state February 18, 1891.

Senator Butler moved that the rules be suspended and that senate bill No. 192 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn,

Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 192 was read first time by title only and passed to second reading.

Senator Butler moved that the rules be further suspended and that senate bill No. 192 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Maxwell and Steiwer—2.

So the rules were suspended and senate bill No. 192 was read second time by title only.

Senator Butler moved that senate bill No. 192 be considered engrossed, and that the rules be further suspended and the bill be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 192 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 193. Senator Gesner. (By unanimous consent.) A bill for an act providing for the construction of a macadam or telford road from the asylum building to the asylum farm, and appropriating money therefor.

Senator Gesner moved that the rules be suspended and that senate bill No. 193 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Johnson—2.

So the rules were suspended and senate bill No. 193 was read first time by title only and passed to second reading.

Senate bill No. 194. Senator Steiwer. (By unanimous consent.) A bill for an act to repeal section 2734 of title I, chapter XVII, and sections 2764, 2765, and 2766 of title III, chapter XXII of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the assessment of shares of bank stock.

Senate bill No. 194 was read first time and passed to second reading without question.

Senate bill No. 195. Senator Alley. (By unanimous consent.) A bill for an act to amend an act entitled "An act to establish the Oregon soldiers' home, and make an appropriation therefor," filed in the office of the secretary of state February 21, 1893.

Senator Alley moved that the rules be suspended and that senate bill No. 195 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Brownell—1.

So the rules were suspended and senate bill No. 195 was read first time by title only and passed to second reading.

Senate bill No. 196. Senator Huston. (By unanimous consent.) A bill for an act to amend sections 2, 3, 14, 16, and 17, and article II of section 18 of an act entitled "An act to incorporate the town of Beaverton," filed with the secretary of state February 10, 1893, and to add sections 24 and 25 to an act entitled "An act to incorporate the town of Beaverton," filed with the secretary of state February 10, 1893.

Senator Huston moved that the rules be suspended and that senate bill No. 196 be read first time by title only.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Brownell, Gesner, and McGinn—3.

So the rules were suspended and senate bill No. 196 was read first time by title only and passed to second reading.

Senate bill No. 13 coming on for third reading, was read third time.

Senator Cogswell moved that senate bill No. 13 be amended by striking from the bill the word "eighteen," and inserting in lieu thereof the word "sixteen."

The motion prevailed.

There being no objection, Senator King amended senate bill No. 13 by inserting after the word "person," in the first line of section 1733, the words "over sixteen years old."

On motion of Senator Denny, the vote by which senate bill No. 13 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Alley, senate bill No. 13 was re-referred to the committee on judiciary, with leave to report at any time.

On motion of Senator Cogswell, the courtesies of the senate were extended to Hon. Wm. Galloway, and he was invited to a seat within the bar.

Senate bill No. 100 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Raley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 103 coming on for third reading, was read third time.

There being no objection, Senator Gesner amended senate bill

No. 103 by striking out the words "half-mile" and inserting in lieu thereof "quarter section."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 197. Senator Carter. (By unanimous consent.) A bill for an act to prevent the production and sale of unwholesome foods and medicines, and to regulate sales of adulterated foods, drinks, and medicines.

Senator Carter moved that the rules be suspended and that senate bill No. 197 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

So the rules were suspended and senate bill No. 197 was read first time by title only and passed to second reading.

Senate joint resolution No. 4, passed by the seventeenth biennial session, coming on for first reading, was read first time.

Senator Cogswell moved the adoption of the resolution.

The question being, "Shall senate joint resolution No. 4, passed by the last legislative assembly, be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Dawson—1.

So the joint resolution was adopted.

Senate joint resolution No. 13, passed by the seventeenth bien-

nial session of the legislature, coming on for first reading, was read first time.

Senator Cogswell moved the adoption of the resolution.

The question being, "Shall senate joint resolution No. 13, passed by the last legislative assembly, be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—Senator Johnson—1.

So the joint resolution was adopted.

On motion of Senator Price, senate bill No. 26 was taken from the table.

On motion of Senator Price, senate bill No. 26 was ordered engrossed and to third reading tomorrow.

On motion of Senator Alley, the senate at 11:48 o'clock took a recess until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, for the purpose of voting for United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of January 31, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Conn and Scott, who were absent on account of sickness, and were announced as being paired.

On motion of Representative Myers, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election,

and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. J. N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Cooper, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Josephine, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Boothby, Burke, Hillegas, McClung, Patterson of Grant, Smith of Linn, and Wright—8.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Curtis, and Dunn—3.

Those voting for Hon. Geo. H. Williams were: Messrs. Baker, Cole, Coon, Gates, Guild, Hofer, Keyt, Lester, Lyle, Rinearson, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Those voting for Hon. J. B. Waldo were: Mr. Craig—1.

Those voting for Hon. F. A. Moore were: Mr. Yates—1.

Those voting for Hon. H. L. Barkley were: Mr. Johnson—1.

Absent—Messrs. Conn and Scott—2.

Total number of votes cast—88.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

Senator Raley moved that the joint convention proceed to take another ballot and to continue voting until five ballots had been taken.

On motion of Mr. Burke, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order by the president.

On motion of Senator Patterson, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present except Senator Gowan, who was absent on leave.

Senate bill No. 198. Senator Steiwer. (By unanimous consent.) A bill for an act to repeal sections 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, and 2101 of chapter VII, volume I of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to drawing justices of peace jury list.

Senate bill No. 198 was read first time and passed to second reading without question.

Senate bill No. 199. Senator Butler. (By unanimous consent.) A bill for an act to amend sections 3197, 3199, 3206, and 3210 of chapter XXX of Hill's annotated laws of Oregon, relating to the canal at Willamette falls, and the charges for passing boats, freight, passengers, etc., through said locks.

Senate bill No. 199 was read first time and passed to second reading without question.

Senate bill No. 200. Senator Vanderburg. (By unanimous consent.) A bill for an act extending the time of registration to S. L. Leneve under the act regulating the practice of medicine and surgery in the state of Oregon.

Senator Vanderburg moved that the rules be suspended and that senate bill No. 200 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Gowan, Hobson, Huston, and McGinn—5.

So the rules were suspended and senate bill No. 200 was read first time by title only and passed to second reading.

Senator Vanderburg moved that the rules be further suspended and that senate bill No. 200 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan, and Price—3.

So the rules were suspended and senate bill No. 200 was read second time by title only.

Senate bill No. 200 was referred to the committee on medicine, pharmacy, and denistry.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment, to wit:

#### AMENDMENT.

That there be added to section 13 of said act, and immediately following the last word in said section, the following words, to wit: "And the mayor and each member of the common council shall receive a salary of one hundred dollars per annum, from which shall be deducted, however, by the auditor and police judge, the sum of five dollars for each time that the mayor or such member of the council may be absent from a meeting of the common council."

A. R. PRICE,  
Chairman.

On motion of Senator Price, the amendment was adopted.

On motion of Senator Price, senate bill No. 102 was ordered engrossed and to third reading tomorrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendment to house concurrent resolution No. 20.

R. E. MOODY,  
Chief clerk.

Senate bill No. 201. Senator Raley. (By unanimous consent.) A bill for an act to regulate the practice of medicine and surgery in the state of Oregon, and to license physicians and surgeons; to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency.

Senator Raley moved that the rules be suspended and that senate bill No. 101 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 28.

Nays — None.

Absent — Senators Carter and Gowan — 2.

So the rules were suspended and senate bill No. 201 was read first time by title only and passed to second reading.

Senate joint memorial No. 3, introduced by Senator Maxwell, was read.

Senator Maxwell moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 25.

Nays — Senator Raley — 1.

Absent — Senators Butler, McGinn, Patterson, and Price — 4.

Senate joint memorial No. 3 was adopted.

Senate bill No. 31 coming on for third reading, was read third time.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 28.

Nays — None.

Absent — Senators Carter and Gowan — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 33 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 28.

Nays — None.

Absent — Senators Carter and Gowan — 2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Senate bill No. 13. A bill for an act entitled "An act to amend section 1733 of chapter XI of title XI of the criminal code of Oregon, as compiled and annotated by William Lair Hill."

*Be it enacted by the legislative assembly of the state of Oregon:*

Sec. 1733. If any person over the age of sixteen years shall carnally know any female child under the age of sixteen years, or any person shall forcibly ravish any female, such person shall be deemed guilty of rape, and, upon conviction thereof, shall be punished by imprisonment in the penitentiary for not less than three nor more than twenty years.

O. N. DENNY,  
Chairman.

On motion of Senator Alley, the amendment was adopted.

Senator Denny moved that the rules be suspended and that senate bill No. 13 be considered engrossed, read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan, and McGinn—3.

So the rules were suspended and senate bill No. 13 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Gowan, McGinn, and Price—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 2 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Johnson, King, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—Senators Bancroft, Huston, Maxwell, McAlister, Smith of Sherman, and Vanderburg—6.

Absent—Senators Carter and Gowan—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 115 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Gowan, King, McAlister, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 21 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Dawson, Gesner, Hobson, Holt, Johnson, King, McAlister, McClung, Price, and Vanderburg—12.

Nays—Senators Bancroft, Brownell, Butler, Calbreath, Cogswell, Denny, Huston, Maxwell, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—16.

Absent—Senators Carter and Gowan—2.

So the bill failed to pass.

Senate bill No. 7 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Butler, Carter, and Gowan—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 28 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodward, and Mr. President—27.

Nays—Senator Vanderburg—1.

Absent—Senators Carter and Gowan—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 48 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Denny and Woodard—2.

Nays—Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—25.

Absent—Senators Alley, Carter, and Gowan—3.

So the bill failed to pass.

Senate bill No. 112 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gesner, and Gowan—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 182 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gesner, and Gowan—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 42 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—Senator Price—1.

Absent—Senators Butler, Carter, Gowan, King, McGinn, and Patterson—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 162 coming on for third reading, was read third time.

On motion of Senator Raley, the vote by which senate bill No. 162 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Raley, senate bill No. 162 was referred to the committee on judiciary.

Senate bill No. 45 coming on for third reading, was read third time.

On motion of Senator King, the vote by which senate bill No. 45 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator King, senate bill No. 45 was referred to the committee on judiciary.

Senate bill No. 60 coming on for third reading, was read third time.

On motion of Senator McAlister, the vote by which senate bill No. 60 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator McAlister, senate bill No. 60 was referred to the committee on judiciary.

On motion of Senator McGinn, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

FRIDAY, FEBRUARY 1, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Carter, who was absent on leave.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Brownell, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Price, chairman of the special committee to whom was referred senate bill No. 83, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Umatilla county, to whom was referred senate bill No. 83, with amendments, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following additional amendments:

AMENDMENT.

After the word "Clatsop," in line nine of the printed bill, strike out the word "and," and after the word "Marion," in same line, insert the words "and Lincoln."

AMENDMENT.

After the word "receive," in line ten of the printed bill, strike out the word "six" and insert in lieu thereof the word "three."

AMENDMENT.

After the word "annum," in line ten of the printed bill, insert the words "in full."

AMENDMENT.

After the first word "county," in line eleven of the printed bill, insert the following: "The county assessor of Multnomah county may appoint as many deputies as the county court of the said county shall by order authorize; the compensation of such deputies so appointed by the county assessor shall be fixed by the county court of said county."

AMENDMENT.

After the words "as in the," in line fourteen, strike out the word "county" and insert the word "counties."

AMENDMENT.

After the word "Umatilla," in line fourteen of the printed bill, insert the words "Baker and Malheur."

A. R. PRICE,  
Chairman.

On motion of Senator Price, the amendments were adopted.

On motion of Senator Price, senate bill No. 83 was ordered engrossed and to third reading tomorrow.

Senator Patterson moved that the rules be suspended and that house bill No. 24 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price,



Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 28.

Nays — None.

Absent — Senators Carter and Johnson — 2.

So the rules were suspended and house bill No. 24 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 26.

Nays — None.

Absent — Senators Carter, King, McAlister, and Price — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 51.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Bancroft, chairman of the special committee appointed under senate concurrent resolution No. 13, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

The joint committee appointed under senate concurrent resolution No. 13, hereby give notice that a meeting of the committee has been called for Thursday evening, February 7, 1895, at 7:30 o'clock, for the purpose of receiving and considering any charges

made in person or properly presented in writing to or before the committee.

F. A. BANCROFT,  
Chairman.

On motion of Senator King, senate concurrent resolution No. 15 was referred to the committee on judiciary.

On motion of Senator Gesner, senate bill No. 65 was taken from the table.

On motion of Senator Gesner, senate bill No. 65 was referred to the committee on judiciary.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Senate bill No. 23. A bill for an act to provide for the transfer and satisfaction of mortgages upon real estate, and the recording thereof.

*Be it enacted by the legislative assembly of the state of Oregon :*

Section 1. Mortgages may be assigned or transferred by an instrument in writing, executed and acknowledged with the same formality as required in deeds and mortgages of real estate, and recorded in the records of mortgages of the county where the land is situated.

Section 2. Every assignment of mortgages shall be recorded at full length, and a reference shall be made to the book and page containing such assignment upon the margin of record of mortgage, and the fees for recording such assignment shall be the same as for recording of mortgages, and shall be accounted for in the same manner.

Section 3. No mortgage upon real estate in any county in this state shall be satisfied or released so as to free said property from the lien of said mortgage, except by the person appearing upon the records of the county where said mortgage is recorded

to be the owner thereof; and a satisfaction or release of said mortgage by the party appearing upon said record to be the owner and holder of said mortgage, shall operate to free the land described in such mortgage from the lien of such mortgage so far as regards all subsequent purchasers and encumbrances for value and without notice.

Section 4. Inasmuch as there is an existing state of uncertainty and doubt as to the proper method of satisfying mortgages in view of certain decisions of the supreme court, and no provision for recording assignments of mortgages, this act shall take effect and be in force from and after its approval by the governor.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendment was adopted.

On motion of Senator Cogswell, senate bill No. 23 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 107, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

That the title of said bill be amended so as to read as follows: "A bill for an act to amend sections 3113, 3114, and 3126 of Hill's annotated laws of Oregon, relating to the sale of lands by minors and the disposition of the proceeds thereof, and to authorize guardians of estates of wards in this state to pay money to guardians of the same wards residing in other states."

#### AMENDMENT.

That before the last line on the printed bill there be inserted the following: That section 3126 of Hill's annotated laws of Oregon be amended so as to read as follows:

Sec. 3126. When any minor, insane person, or spendthrift residing out of this state shall be put under guardianship in the state or county in which he resides, and shall have no guardian appointed in this state, the foreign guardian may file an authenticated copy of his appointment in the county court of any county in which there may be real estate of the ward; after which he may be licensed by the county court for the same county to sell the real estate of the ward in any county in the same manner and upon the same terms and conditions as are prescribed in this chapter in the case of a guardian appointed in this state, except in the particulars hereinafter mentioned; *and provided, further*, that if any such minor, insane person, or spendthrift residing out of this state shall be put under guardianship in the state or county in which he resides and shall have a guardian and estate in this state, such foreign guardian may file a petition in the county court of the county in this state where such guardian has been appointed, praying that a portion or all of said estate be conveyed to such foreign guardian to be expended for the clothing, education, or maintenance of such ward. If such court is satisfied that such foreign guardian has been duly appointed and has given good and sufficient bonds to amply secure such ward and his estate, and that it would be for the best interest of such ward that the prayer of such petition or some portion thereof be granted, such court may make such order as it may deem proper and right in the premises.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, senate bill No. 107 and the amendments as reported by the committee were laid on the table, and the chief clerk instructed to have the amendments printed for the use of the members of the senate.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 105, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Add to section 1 of printed bill, after the words "civil actions," in line five, the following: "except that the notice thereof must be filed with the justice of the peace before whom the case is tried, who shall thereupon notify the district attorney of the taking of such appeal."

## AMENDMENT.

Add after the words "Lair Hill" in the title of the bill, the following: "relating to appeals in criminal actions in justice courts."

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendments were adopted.

On motion of Senator Denny, senate bill No. 105 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 96, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Add to the title of the bill, after the words "Lair Hill," the following: "relating to appeals in justice courts."

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendment was adopted.

On motion of Senator Denny, senate bill No. 96 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 95, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

That the word "any" be substituted for the word "such," in line seventy-two, page 3 of the printed bill, the same being in line one of subdivision 6 in said bill.

AMENDMENT.

That the word "personal" be stricken out of the first line of subdivision 20 of said bill.

AMENDMENT.

That subdivision 17 shall precede and be numbered 16, and subdivision 16 shall follow and be numbered 17.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendments were adopted.

On motion of Senator Huston, senate bill No. 95 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 4, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that further consideration thereof be indefinitely postponed, because said proposed amendment is and would be in conflict with the constitution, and therefore void.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, further consideration of senate bill No. 4 was indefinitely postponed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 72, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Senator Steiwer, senate bill No. 72 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 93, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator King, senate bill No. 93 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill



No. 84, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 84 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 81, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, and that further consideration thereof be indefinitely postponed.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, senate bill No. 81 was indefinitely postponed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 3, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "provided," in line twenty-five of section 1, add the words "but no improvement shall be made under the provisions of this act when the cost thereof upon any property shall exceed fifty per cent. of the assessed valuation of said property."

## AMENDMENT.

In section 2 of said bill, line one, after the words "section 2 of," insert the word "said."

## AMENDMENT.

After the word "act," occurring for the first time in said line one of said section 2, strike out all of said line one, all of line two, and all of line three up to and including the word "installment."

## AMENDMENT.

In line one of section 3 of said bill, after the words "section 3 of," insert the word "said" in place of the word "an."

## AMENDMENT.

Strike out all the remainder of said line one after the word "act," all of line two, and all of line three up to and including the word "installment" in said line three of said section 3.

## AMENDMENT.

In section 4 of said bill, insert the word "said" in place of the word "an" in line one after the words "section 4 of."

## AMENDMENT.

Strike out all the remainder of said line one after the word "act," all of line two, and all of line three down to and including the word "installment" in said section 4.

## AMENDMENT.

In section 5 of said bill, insert the word "said" in place of the word "an" after the words "section 5 of" in line one of said section 5.

## AMENDMENT.

Strike out the remainder of said line one after the word "act," all of line two, and all of line three down to and including the word "installment" in said line three of said section 5.

## AMENDMENT.

In section 6 of said bill, after the words "section 6 of," in line one of said section, insert the word "said" in place of the word "an."

AMENDMENT.

After the word "act," strike out all the remainder of said line one, all of line two, and all of line three down to and including the word "installment" in said line three of said section 6.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendments were adopted.

On motion of Senator Bancroft, senate bill No. 3 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 78, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, and that further consideration thereof be indefinitely postponed.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, further consideration of senate bill No. 78 was indefinitely postponed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 77, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

In line five of page 1 of the printed bill, after the word "forfeit," insert the following: "To the school fund of the county where the marriage was solemnized."

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendment was adopted.

On motion of Senator Denny, senate bill No. 77 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 79, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, senate bill No. 79 was ordered engrossed and to third reading tomorrow.

Senate bill No. 202. Senator Smith of Clatsop. (By unanimous consent.) A bill for an act to change the boundary line of Clatsop and Columbia counties in the state of Oregon.

Senate bill No. 202 was read first time and passed to second reading without question.

House bill No. 16 coming on for first reading, Senator Patterson moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Beckley, Butler, Carter, and McClung—4.

So the rules were suspended and house bill No. 16 was read first time by title only and passed to second reading.

House bill No. 136 coming on for first reading, Senator Raley moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and house bill No. 136 was read first time by title only and passed to second reading.

House bill No. 116 coming on for first reading, Senator Johnson moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Alley—1.

So the rules were suspended and house bill No. 116 was read first time by title only and passed to second reading.

House bill No. 18 coming on for first reading, Senator Johnson moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Carter, Huston, Raley, and Vanderburg—5.

So the rules were suspended and house bill No. 18 was read first time by title only and passed to second reading.

House bill No. 130 coming on for first reading, Senator Gesner moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Carter, Huston, and Vanderburg—4.

So the rules were suspended and house bill No. 130 was read first time by title only and passed to second reading.

House bill No. 176 coming on for first reading, Senator Calbreath moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Carter—2.

So the rules were suspended and house bill No. 176 was read first time by title only and passed to second reading.

House bill No. 243 coming on for first reading, Senator McClung moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Maxwell—2.

So the rules were suspended and house bill No. 243 was read first time by title only and passed to second reading.

Unanimous consent being given, Senator Johnson introduced senate resolution No. 14.

#### SENATE RESOLUTION NO. 14.

*Resolved*, That the president of the senate be directed to appoint, prior to final adjournment, a committee of two senators, whose

duty it shall be, in connection with the chief clerk of the senate, to examine and correct any errors that may appear on the journal of the senate, and the said committee shall then approve the same; the said committee shall be allowed such time, not exceeding ten days, as may be necessary to complete the record and file all papers with the secretary of state, and their per diem shall be the same as that of the chief clerk.

Senator Johnson moved the adoption of the resolution.

On motion of Senator Cogswell, senate resolution No. 14 was laid on the table.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 99, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

W. H. HOBSON,  
Chairman.

On motion of Senator Johnson, senate bill No. 99 was ordered engrossed and to third reading tomorrow.

On motion of Senator Cogswell, the vote by which senate bill No. 99 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Cogswell, senate bill No. 99 was re-referred to the committee on claims, with leave to report at any time.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 62, beg leave to report that we have had the same under



consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. W. MAXWELL,  
Chairman.

On motion of Senator Gowan, senate bill No. 62 was ordered engrossed and to third reading tomorrow.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 38, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

That section 1 shall read as follows: "Section 1. There shall be held annually in Tillamook county, Oregon, two terms of the circuit court, to wit: on the third Monday of April and the second Monday of November."

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, the amendment was adopted.

On motion of Senator Maxwell, senate bill No. 38 was ordered engrossed and to third reading tomorrow.

Senator Hobson, chairman of the committee on federal relations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on federal relations, to whom was referred house joint memorial No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

W. H. HOBSON,  
Chairman.

House joint memorial No. 2 was read.

Senator Johnson moved the adoption of house joint memorial No. 2.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Cogswell, and Gesner—3.

So house joint memorial No. 2 was adopted.

Senator Maxwell, chairman of the committee on horticulture, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1895. }

*Mr. President:*

Your committee on horticulture, to whom was referred senate bill No. 50, beg leave to report that we have have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to wit:

#### AMENDMENT.

Following line twelve, in section 1 of the original bill, corresponding to line nine of the printed bill, after the word "to wit" insert the following: "*provided*, that the commissioner at large shall not receive any pay for his services."

#### AMENDMENT.

After the word "shall," in the seventh line of section 3, corresponding to the sixth line of the printed bill, strike out the words "be — dollars per month," and insert instead thereof the words "not to exceed twelve hundred dollars per year."

#### AMENDMENT.

Following the last line in section 4 insert the words "or by fine and imprisonment not less than five nor more than thirty days."

## AMENDMENT.

In section 5, line 11, corresponding to line 8 of printed bill, strike out the word "may," and insert in lieu thereof the words "shall forthwith."

## AMENDMENT.

In section 9, line 4, corresponding to line three of printed bill, after the word "amended," add "so as to read as follows."

## AMENDMENT.

In section 11, line 12, corresponding to line eight of printed bill, fill blank by inserting the word "three."

## AMENDMENT.

In section 13, line eight, corresponding to line five of printed bill, fill blank by inserting the words "six thousand dollars."

## AMENDMENT.

In section 13, line nine, corresponding to line six of printed bill, fill blank by inserting the words "six thousand dollars."

## AMENDMENT.

In section 13, line nine, corresponding to line six of printed bill, after the word "money," add "in the state treasury not otherwise appropriated, and the secretary of state shall draw his warrant in favor of the treasurer of the board for said sum, upon the state treasurer."

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, the amendments were adopted.

On motion of Senator Maxwell, senate bill No. 50 was ordered engrossed and to third reading tomorrow.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

## REPORT.

SENATE CHAMBER, .  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 74, beg leave to report that

we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

That the word "Koch," in the last line, be changed to "Tuberculin."

J. F. CALBREATH,  
Chairman.

On motion of Senator Calbreath, the amendments were adopted.

On motion of Senator Calbreath, senate bill No. 74 was ordered engrossed and to third reading tomorrow.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 108, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. F. CALBREATH,  
Chairman.

On motion of Senator Calbreath, senate bill No. 108 was ordered engrossed and to third reading tomorrow.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 56, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

S. A. DAWSON,  
Chairman.

On motion Senator Dawson, further consideration of senate bill No. 56 was indefinitely postponed.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January —, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 113, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Senator Dawson, senate bill No. 113 was ordered engrossed and to third reading tomorrow.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 29, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line four of printed bill, strike out the words "board of" and "commissioners," and insert the word "court."

AMENDMENT.

In lines eleven and twelve of printed bill, strike out the words "board of" and "commissioners," and insert the word "court."

AMENDMENT.

In line sixteen of printed bill, strike out the words "board of" and "commissioners," and insert the word "court."

AMENDMENT.

In line nineteen of printed bill, strike out the word "board," and insert the word "court."

S. A. DAWSON,  
Chairman.

On motion of Senator Dawson, the amendments were adopted.

On motion of Senator Dawson, senate bill No. 29 was ordered engrossed and to third reading tomorrow.

Senator Denny moved that the vote by which house joint memorial No. 2 was passed be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the vote was reconsidered.

On motion of Senator Denny, house joint memorial No. 2 was referred to the committee on commerce and navigation.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 25, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 61, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Senator Dawson, senate bill No. 61 was ordered engrossed and to third reading tomorrow.

Senator Alley, chairman of the committee on commerce and navigation, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on commerce on navigation, to whom was referred senate bill No. 68, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

That in section 6, line three, printed bill, after the word "shipper," strike out all up to the words "freight cars," in line four, same section, and insert the following: "*provided*, that there shall be allowed forty-eight hours within which to furnish such freight cars from the time the same are ordered."

## AMENDMENT.

In line five of section 6, insert the words "forty-eight" in the place of "twenty-four."

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, the amendments were adopted.

On motion of Senator Alley, senate bill No. 68 was ordered engrossed and to third reading tomorrow.

Senator Alley, chairman of the committee on commerce and navigation, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on commerce and navigation, to whom was referred house joint memorial No. 1, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

B. F. ALLEY,  
Chairman.

House joint memorial No. 1 was read.



Senator Alley moved the adoption of house joint memorial No. 1.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Huston, King, Raley, and Vanderburg—5.

So the memorial was adopted.

On motion of Senator Cogswell, the senate at 11:30 o'clock took a recess until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 1, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Conn and Scott, who were absent on account of sickness, and were announced as being paired.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Cooper, Daley, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—42.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Clatsop, and Smith of Sherman—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Boothby, Craig, Hillegas, McClung, Patterson of Grant, Smith of Linn, Wright, and Yates—9.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Curtis, and Dunn—3.

Those voting for Hon. Geo. H. Williams were: Messrs. Baker, Burke, Cole, Coon, Gates, Guild, Hofer, Johnson, Keyt, Lester, Lyle, Rinearson, and Tigard—13.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Total number of votes cast—88.

Absent—Messrs. Conn and Scott—2.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Senator Alley, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:50 o'clock p. m. by the president.

On motion of Senator Patterson, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

SATURDAY, FEBRUARY 2, 1895.

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SATURDAY, FEBRUARY 2, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Smith of Sherman, who was absent on leave.

The morning session of the senate was opened with prayer by Rev. Mr. Kelloway of the Christian Mission.

On motion of Senator Johnson, the reading of the journal of yesterday's proceedings was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 74, 26, 23, 108, 61, 65, 113, and 105, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Steiwer, chairman of the committee on public lands, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1895. }

*Mr. President:*

Your committee on public lands, to whom was referred senate bill No. 34, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the accompanying bill be accepted as

a substitute for senate bill No. 34, and that such substitute bill do pass.

W. W. STEIWER,  
Chairman.

SUBSTITUTE.

Senate bill No. 34. A bill for an act to amend section 3597 of the laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal section 3619 of the laws of Oregon, as compiled and annotated by William Lair Hill.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. That section 3597 of the laws of Oregon, as compiled and annotated by William Lair Hill, be amended so as to read as follows:

Sec. 3597. The governor may appoint any agent to select all lands donated to the state by the United States, and to ascertain all losses sustained by the state by reason of the occupancy of sections sixteen and thirty-six by or through the United States government, and when such losses have been ascertained, then to select from the best timber or other lands owned by the United States government, lands in lieu of said sections sixteen and thirty-six, occupied by the government; said agent shall receive as compensation for such services a sum not exceeding twelve hundred dollars a year and reasonable traveling expenses under the supervision of the governor; that all lands in lieu of sections sixteen and thirty-six be and the same are hereby withdrawn from sale for a period of two years; that the board of the state land commissioners proceed immediately to ascertain all losses which the state has sustained by reason of the occupancy of sections sixteen and thirty-six by or through the United States government, and when such losses shall have been ascertained, then to select from the best timber and other lands owned by the United States government lands to make good such losses and to perfect title to them by the state; that a list of all such lands so selected be kept in a book, accessible to every one, in the clerk's office of the school land board, accurately describing the land for sale and the land for which it was taken in lieu. No lands selected under the provisions of this act shall be sold for a less sum than two dollars and fifty cents per acre, and the board of commissioners for the sale of school and university lands and for the investment of the funds arising therefrom may sell any of said lands to the highest bidder, such sales to be conducted under such rules and regulations as the board may prescribe.

Section 2. That section 3619 of the laws of Oregon, as compiled and annotated by William Lair Hill, and all acts or parts

of acts in conflict with this act, be and the same are hereby repealed.

Section 3. Inasmuch as a large quantity of this land has been actually occupied by the United States government as a forest reserve and requires immediate attention, and an emergency exists, this act shall go into effect immediately after its signature by the governor.

On motion of Senator Steiwer, the substitute for senate bill No. 34 was adopted and read first time.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1896. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 162, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the opinion that it is not in conflict with the article of the constitution prescribing the number of districts into which the state may be divided for judicial purposes.

O. N. DENNY,  
Chairman.

On motion of Senator Raley, senate bill No. 162 was ordered to third reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 60, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the opinion that it is not in conflict with the article of the constitution prescribing the number of districts into which the state may be divided for judicial purposes.

O. N. DENNY,  
Chairman.

On motion of Senator McAlister, senate bill No. 60 was ordered to third reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the opinion that it is not in conflict with the article of the constitution prescribing the number of districts into which the state may be divided for judicial purposes.

O. N. DENNY,  
Chairman.

On motion of Senator Gowan, senate bill No. 45 was ordered to third reading.

The following message was received from His Excellency, Governor Wm. P. Lord:—

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 1, 1895. }

*To the Senate of the Legislative Assembly:*

On the twenty-eighth day of September, 1893, by proclamation of the president of the United States, the Cascade range forest reserve was established in the state of Oregon, within which there are said to be, in round numbers, four million five hundred thousand (4,500,000) acres of government land that is withdrawn from the market. Prior to the issuance of such proclamation, Oregon was entitled to two section in every township of this tract of mountain land for school purposes. With the establishment of the reservation, Oregon became entitled to lieu lands, to be selected at pleasure from any unclaimed government lands in the state. It will be seen, therefore, that the creation of this reservation has taken from the state nearly two hundred and fifty thousand (250,000) acres of land, much of which is worthless, and given in lieu thereof a like amount of the best government lands to be found.

Under the law of the present administration the school fund realizes only one dollar and twenty-five cents (\$1.25) per acre, at which rate but three hundred and twelve thousand dollars, (\$312,000) could possibly be realized from the sales of such lands. There is no property entrusted to the state more sacred than the school fund, and every effort should be made to increase and protect it. To this end I would suggest that it is advisable that a law should be passed providing for the selection, appraisement, and sale of lieu lands, fixing the minimum price at not less than two dollars and fifty cents (\$2.50) per acre.

WILLIAM P. LORD,  
Governor.

The message was referred to the committee on public lands.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 27, requesting our representatives in congress to vote against the Reilly bill, relating to railroad indebtedness; also requesting them to insist on foreclosure of mortgages, but to oppose government ownership of railroads. (Our two congressmen have notified the house by wire that the vote on the Reilly bill is to be taken in congress Saturday, February 2, 1895.)

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 27.

Whereas there is now pending before the congress of the United States a bill funding the indebtedness of certain railroad corporations, and extending the time for payment of the amounts of money due the government of the United States; therefore, be it

*Resolved by the House, the Senate concurring,* That our senators and representatives in congress be and they are hereby requested to vote against any funding bill, and that the government, through its proper officials, commence foreclosure proceedings against each of said railroads so indebted to the United States,



but that they oppose legislation tending to the government ownership of railroads.

*Resolved*, That the Secretary of State be and he is hereby instructed to telegraph this resolution to our representatives in congress.

On motion of Senator Bancroft, house concurrent resolution No. 27 was referred to the committee on railroads.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 122,—a bill for an act amending the charter of the city of Corvallis.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 115.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 142,—a bill for an act to amend the charter of the city of Astoria.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 182.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in senate joint memorial No. 3, for the reason that house joint memorial No. 6 contains the same subject matter and is more complete.

And the same is herewith returned to you.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 103.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 100.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 249,—a bill for an act repealing an act filed in the office of the secretary of state February 18, 1891, and to enact section 20 of article VII of an act filed in the office of the secretary of state February 21, 1889, relating to the charter of the city of Ashland.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 254,—a bill for an act to amend section 17 of article VII of an act entitled an act to incorporate the city of Ashland, in Jackson county, Oregon, and to define the powers thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 317,—a bill for an act to amend an act incorporating the town of Oakland, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 57,—a bill for an act to authorize the city of Astoria to erect a seawall, and to grade streets and construct sewers and issue seawall bonds.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 290,—a bill for an act to incorporate the city of Hubbard and to repeal an act incorporating the town of Hubbard, filed in the office of the secretary of state February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 37.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Gesner moved that the rules be suspended and that house bill No. 290 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Cogswell, Denny, Raley, Smith of Sherman, and Smith of Clatsop—7.

So the rules were suspended and house bill No. 290 was read first time by title only and passed to second reading.

Senator Gowan moved that the rules be further suspended and that house bill No. 290 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Cogswell, Denny, Raley, and Smith of Sherman—5.

So the rules were suspended and house bill No. 290 was read second time by title only.

House bill No. 290 was referred to a special committee, consisting of the senators from Marion county.

On motion of Senator Raley, the courtesies of the senate were extended to Hon. R. M. Veatch, and he was invited to a seat within the bar.

Senate bill No. 203. Senator Patterson. (By unanimous consent.) A bill for an act to provide for the appointment of deputy assessors, and for their compensation.

Senate bill No. 203 was read first time and passed to second reading without question.

Unanimous consent being given, Senator Steiwer introduced senate joint memorial No. 5.

#### SENATE JOINT MEMORIAL NO. 5.

*To the Honorable Senate and House of Representatives of the United States in Congress assembled, Your memorialists, the legislative assembly of the state of Oregon, hereby respectfully represent,—* Whereas, the even sections of public lands within the limits of the congressional land grants in aid of the construction of railroads were sold by the government at two dollars and fifty cents an acre, on account of the supposed increase of their value, which would be caused by the construction of the roads in aid of which

the grants were made; and, whereas, the congress of the United States has forfeited all the unearned portions of railroad land grants, has fixed the price of the forfeited odd sections at one dollar and twenty-five cents an acre, and has reduced the price of the even sections within said grants to one dollar and twenty-five cents an acre, and the consideration to purchasers of said even sections for the increase of the price paid by them has failed; and, whereas, simple justice demands that the government should refund to purchasers of the even sections within the limits of all forfeited land grants who have paid the maximum price of two dollars and fifty cents an acre, one dollar and twenty-five cents an acre of such purchase price; therefore,

*Resolved*, That your memorialists urge the congress of the United States to place said purchasers of even sections within the limits of forfeited railroad land grants upon an equality with other purchasers of lands within the limits of said grants, and to pass the Dolph bill, which has been favorably reported from the senate committee on public lands, and is now upon the calendar of the senate, providing for the repayment to such purchasers of even sections of one dollar and twenty-five cents an acre.

Senator Steiwer moved the adoption of senate joint memorial No. 5.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Cogswell, Holt, Smith of Sherman, and Smith of Clatsop—5.

So the memorial was adopted.

Senate bill No. 135 coming on for second reading, was read second time.

Senate bill No. 135 was referred to the committee on railways.

Senate bill No. 204. Senator Denny. (By unanimous consent.) A bill for an act to amend section 2790 of the laws of Oregon, as compiled by W. Lair Hill, as amended by section 2 of the act filed in the office of the secretary of state February 20, 1893, relating to the levying of taxes for state purposes, and regulating interest upon the taxes unpaid to the state.

Senate bill No. 204 was read first time and passed to second reading without question.

Senate bill No. 136 coming on for second reading, Senator

Huston moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Dawson, Smith of Clatsop, and Smith of Sherman—4.

So the rules were suspended and senate bill No. 136 was read second time by title only.

Senate bill No. 136 was referred to the committee on revision of laws.

Senate bill No. 137 coming on for second reading, was read second time.

Senate bill No. 137 was referred to the committee on education.

Senate bill No. 151 coming on for second reading, was read second time.

Senate bill No. 151 was referred to the committee on railroads.

Senate bill No. 138 coming on for second reading, was read second time.

Senate bill No. 138 was referred to the committee on medicine, pharmacy, and dentistry.

Senate bill No. 139 coming on for second reading, was read second time.

Senate bill No. 139 was referred to the committee on judiciary.

Senate bill No. 140 coming on for second reading, was read second time.

Senate bill No. 140 was referred to the committee on assessment and taxation.

Senate bill No. 141 coming on for second reading, was read second time.

On motion of Senator Alley, senate bill No. 141 was referred to the committee on printing.

Senate bill No. 142 coming on for second reading, was read second time.

Senate bill No. 142 was referred to the committee on judiciary.

Senate bill No. 143 coming on for second reading, on motion of Senator Raley was laid on the table.

Senate bill No. 144 coming on for second reading, was read second time.

Senate bill No. 144 was referred to the committee on education.

Senate bill No. 145 coming on for second reading, was read second time.



Senate bill No. 145 was referred to the committee on railroads.

Senate bill No. 146 coming on for second reading, was read second time.

Senate bill No. 146 was referred to the committee on revision of laws.

Senate bill No. 147 coming on for second reading, was read second time.

Senate bill No. 147 was referred to the committee on counties.

Senate bill No. 150 coming on for second reading, was read second time.

Senate bill No. 150 was referred to the committee on claims.

Senate bill No. 152 coming on for second reading, was read second time.

Senate bill No. 152 was referred to the committee on assessment and taxation.

Senate bill No. 205. Senator Smith of Clatsop. (By unanimous consent.) A bill for an act to regulate the transportation of freights by railroad corporations within the state of Oregon.

Senator Smith of Clatsop moved that the rules be suspended and that senate bill No. 205 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Dawson, Johnson, and Smith of Sherman—4.

So the rules were suspended and senate bill No. 205 was read first time by title only and passed to second reading.

Senate bill No. 153 coming on for second reading, Senator Raley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senators Butler, Carter, Cogswell, Johnson, Smith of Sherman—5.

So the rules were suspended and senate bill No. 153 was read second time by title only.

Senate bill No. 153 was referred to a special committee, consisting of the senators from Umatilla county.

Senate bill No. 154 coming on for second reading, was read second time.

Senate bill No. 154 was referred to the committee on judiciary.

Senate bill No. 155 coming on for second reading, was read second time.

Senate bill No. 155 was referred to the committee on claims.

Senate bill No. 156 coming on for second reading, Senator Raley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Butler, Carter, Dawson, Johnson, McAlister, Smith of Sherman, and Smith of Clatsop—7.

So the rules were suspended and senate bill No. 156 was read second time by title only.

Senate bill No. 156 was referred to the committee on public buildings and institutions.

Senate bill No. 157 coming on for second reading, was read second time.

Senate bill No. 157 was referred to the committee on assessments and taxation.

Senate bill No. 158 coming on for second reading, was read second time.

Senate bill No. 158 was referred to the committee on judiciary.

#### COMMUNICATION.

SALEM, February 2, 1895.

*Hon. Joseph Simon, President of the Senate:*

SIR: With the compliments of Col. C. F. Beebe, colonel of the first regiment of the Oregon national guard, I have the pleasure to respectfully invite the senate to inspect the first regiment, Oregon national guard, this second day of February, 1895, at 5 o'clock, sharp, in their armory, in Portland, Oregon.

A. W. GOWAN,

Chairman joint military investigating committee.

On motion of Senator Gowan, the invitation was accepted.

Senate bill No. 159 coming on for second reading, was read second time.

Senate bill No. 159 was referred to the committee on counties. Senate bill No. 160 coming on for second reading, was read second time.

Senate bill No. 160 was referred to the committee on counties. Unanimous consent being given, Senator Steiwer introduced the following petition, viz.:

PETITION.

*To the Honorable the Legislative Assembly of the State of Oregon:*

We, the undersigned residents and legal voters and taxpayers of that part of Grant county, Oregon, west of the boundary line between ranges twenty-five and twenty-six east, and north of the John Day river, do hereby respectfully petition to be annexed to Gilliam county, Oregon, for the reason that we are naturally connected to Gilliam county by the lay of the land. and are naturally cut off from the county seat and main body of Grant county by almost impassible barriers. We ask this as we have often done before, simply (for the reasons stated) it will be a a very great convenience to us, and there is no other question involved.

Signed by many petitioners.

The petition was referred to the committee on counties.

Senate bill No. 161 coming on for second reading, was read second time.

Senate bill No. 161 was referred to the committee on revision of laws.

Senator Patterson, chairman of the committee on fishing industries, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1895. }

*Mr. President:*

Your committee on fishing industries, to whom was referred senate bill No. 18, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

After line four, section 1 of printed bill, insert the following:  
"or as soon thereafter as there are sufficient funds in the treasury."

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, the amendment was adopted.

On motion of Senator Patterson, senate bill No. 18 was ordered engrossed and to third reading tomorrow.

Senator Bancroft, chairman of the committee on privileges and elections, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your committee on privileges and elections, to whom was referred house joint resolution No. 11, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

F. A. BANCROFT,  
Chairman.

On motion of Senator Cogswell, house joint resolution No. 11 was re-referred to the committee on judiciary.

Unanimous consent being given, Senator Maxwell introduced senate joint resolution No. 6.

#### SENATE JOINT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and the same is hereby proposed: That section 6 of article IV of the constitution of the state of Oregon be and the same is hereby abrogated, and in lieu thereof section 6 of article IV shall be as follows:

#### ARTICLE IV.

Section 6. From and after the year 1895, the number of senators shall be thirty, and the number of representatives shall be sixty, and they shall be apportioned among the several counties which may be included within this state according to the number of white population in each at the session next following each enumeration of the inhabitants of the United States or of this state. The ratio of said apportionment shall be determined by dividing the number of white population of the state as shown by said enumeration by the number of senators and representatives respectively. The number of senators or representatives to be elected in each county or district shall be determined by dividing the number of white population of such county or district by such respective ratio, and where a fraction shall result

from such division which shall exceed one half, such county or district shall be entitled to a member for such fraction; and in case any county shall not have the requisite population to entitle such county to a member, such county shall be attached to some adjoining county for senatorial or representative purposes; but each and every county shall be entitled to at least one member of the house of representatives.

Senate bill No. 45 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—21.

Nays—Senators Denny, Gesner, Johnson, Patterson, Price, and Steiwer—6.

Absent—Senators Carter, Dawson, and Smith of Sherman—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 60 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—23.

Nays—Senators Denny, Johnson, and Steiwer—3.

Absent—Senators Carter, Dawson, Patterson, and Smith of Sherman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 162 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—21.

Nays — Senators Cogswell, Denny, Gesner, Johnson, and Steiwer — 5.

Absent — Senators Carter, Dawson, Patterson, and Smith of Sherman — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 173 coming on for second reading, was read second time.

Senate bill No. 173 was referred to the committee on judiciary.

Senate bill No. 23 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Cogswell, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Raley, Smith of Clatsop, Vandenburg, Woodard, and Mr. President — 21.

Nays — None.

Absent — Senators Alley, Butler, Carter, Dawson, Hobson, McClung, Price, Smith of Sherman, and Steiwer — 9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 83, 77, 29, 84, 102, 62, 72, and 93, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Denny moved that when the senate adjourns, that it adjourn until Monday at 11:55 o'clock a. m.

The motion prevailed.

Senate bill No. 206. Senator Butler. (By unanimous consent.) A bill for an act to amend section 3 of an act entitled an act to provide for an additional circuit judge for the third judicial dis-

trict in the state of Oregon, filed in the office of the secretary of state, February 20, 1893, and to amend section 2330 of chapter X of the general laws of Oregon, as compiled and annotated by William Lair Hill, relating to the term of the circuit court in the third judicial district of the state of Oregon.

Senate bill No. 206 was read first time and passed to second reading.

On motion of Senator Woodard a recess was taken until 11:55 o'clock a. m.

The senate was called to order at 11:55 o'clock a. m. by the president.

# MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1895. }

*Mr. President:*

I am directed by the speaker to comply with your request, and therefore herewith transmit house joint memorial No. 2.

R. E. MOODY,  
Chief clerk.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

# JOINT CONVENTION.

The joint convention of February 2, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter, Cogswell, Dawson, Johnson, Smith of Sherman, and Steiwer.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Baker, Cooper, Conn, and Scott, who were absent on account of sickness.

The following named gentlemen were announced as being paired on the vote for United States senator: Baker with Cooper, Conn with Scott, Carter with Cogswell, Smith of Sherman with Steiwer, and Dawson with Johnson.

There being no objection, the reading of the journal of the



proceedings of the joint convention of yesterday was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. J. N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Daly, David, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—38.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Huston, McAlister, Raley, and Smith of Clatsop—6.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Boothby, Craig, Hillegas, McClung, Patterson of Grant, Smith of Linn, Wright, and Yates—9.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Curtis, and Dunn—3.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Coon, Gates, Guild, Hofer, Keyt, Lester, Lyle, Rinearson, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Absent—10.

Total number of votes cast—80.

The president declared that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator Alley, the senate adjourned until 10 o'clock a. m. Monday.

WALTER SINCLAIR,  
Chief clerk.

*MONDAY, FEBRUARY 4, 1895.*

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*MONDAY, FEBRUARY 4, 1895.*

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

The senate was called to order at 11:55 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Johnson, who were absent on leave.

The senate was opened with prayer by Rev. M. L. Rugg of the Baptist church.

On motion of Senator Gowan, the reading of the journal of the proceedings of yesterday was dispensed with.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of February 4, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the members were present, except Senators Carter, Cogswell, Dawson, Johnson, and McClung.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Baker, Conn, Cole, Cooper, Daly, McCracken, Moorhead, Smith of Linn, Tigard, Templeton, and Scott.

The following named gentlemen were announced as paired on the vote for United States senator: Carter with Cogswell, Dawson with Johnson, McClung with Moorhead, Conn with Scott, Baker with Cooper, Templeton with Tigard, Smith of Linn with Daly, and Cole with McCracken.

There being no objection, the reading of the journal of the proceedings of the joint convention of Saturday was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon at the joint convention of Saturday, there had been no election,

and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, David, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McGinn, McGreer, Mintie, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—35.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. William D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Coon, Craig, Gates, Guild, Keyt, Lester, Lyle, and Rinearson—9.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Boothby, Hillegas, Patterson of Grant, Wright, and Yates—6.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Curtis, Dunn, and Hofer—4.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Absent and paired—16.

Total number of votes cast—74.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Rinearson, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:24 o'clock p. m. by the president.

On motion of Senator Patterson, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the members were present except Senator Carter, who was absent on leave.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 3 and 96, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Gesner, chairman of the special committee consisting of the senators from Marion county, to whom was referred house bill No. 290, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 290, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

ALONZO GESNER,  
Chairman.

Senator Gesner moved that the rules be suspended and that house bill No. 290 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and house bill No. 290 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Carter, and McClung—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 65, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

On motion of Senator Price, senate bill No. 65 was ordered engrossed and to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 2, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 7,—a bill for an act to repeal an act providing for the employment of convicts in the state penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MONDAY, FEBRUARY 4, 1895.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 149,—a bill for an act to amend section 54 of the code of civil procedure.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 233,—a bill for an act to prevent the sale of intoxicating liquors within one mile of any soldiers' home.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 27,—a bill for an act to protect fish in Wallowa county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 1.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 1, and soon thereafter declared that he had signed the same.

Senate bill No. 163 coming on for second reading, Senator Patterson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Steiwer—2.

So the rules were suspended and senate bill No. 163 was read second time by title only.

Senate bill No. 163 was referred to a special committee, consisting of the senators from Multnomah county.

Senate bill No. 164 coming on for second reading, Senator McAlister moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and senate bill No. 164 was read second time by title only.

Senate bill No. 164 was referred to the committee on railroads.

Senate bill No. 165 coming on for second reading, was read second time.

Senate bill No. 165 was referred to the committee on judiciary.

Senate bill No. 170 coming on for second reading, was read second time.

Senate bill No. 170 was referred to the committee on judiciary.

Senate bill No. 171 coming on for second reading, was read second time.



Senate bill No. 171 was referred to the committee on claims.

Senate bill No. 172 coming on for second reading, was read second time.

Senate bill No. 172 was referred to the committee on public buildings.

Senate bill No. 174 coming on for second reading, was read second time.

Senate bill No. 174 was referred to the committee on claims.

Senate bill No. 175 coming on for second reading, was read second time.

Senate bill No. 175 was referred to the committee on fishing industries.

On motion of Senator McGinn, the courtesies of the senate were extended to Judge H. H. Hewitt, and he was invited to a seat within the bar.

Senate bill No. 176 coming on for second reading, was read second time.

Senate bill No. 176 was referred to the committee on judiciary.

Senate bill No. 177 coming on for second reading, was read second time.

Senate bill No. 177 was referred to the committee on irrigation.

Senate bill No. 178 coming on for second reading, Senator Brownell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan, and Steiwer—3.

So the rules were suspended and senate bill No. 178 was read second time by title only.

Senate bill No. 178 was referred to the committee on commerce and navigation.

Senate bill No. 179 coming on for second reading, was read second time.

Senate bill No. 179 was referred to the committee on judiciary.

Senate bill No. 180 coming on for second reading, was read second time.

Senate bill No. 180 was referred to the committee on judiciary.

Senate bill No. 181 coming on for second reading, was read second time.

Senate bill No. 181 was referred to the committee on judiciary.

Senate bill No. 183 coming on for second reading, Senator Alley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Gowan—2.

So the rules were suspended and senate bill No. 183 was read second time by title only.

Senate bill No. 183 was referred to the committee on fishing industries.

Senate bill No. 184 coming on for second reading, Senator Johnson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan, and Woodard—3.

So the rules were suspended and senate bill No. 184 was read second time by title only.

Senate bill No. 184 was referred to the committee on roads and highways.

Senate bill No. 207. Senator Cogswell. (By unanimous consent.) A bill for an act to regulate the construction and management of buildings used for public meetings not within the limits of incorporated cities or towns.

Senate bill No. 207 was read first time and passed to second reading without question.

Senate bill No. 208. Senator Butler. (By unanimous consent.) A bill for an act to exempt farm and pasture land included within the corporate limits of cities and towns from taxation for municipal purposes.

Senate bill No. 208 was read first time and passed to second reading without question.

Senate bill No. 209. Senator Beckley, by request. (By unanimous consent.) A bill for an act for the relief of James H. Sharp.

Senator Beckley moved that the rules be suspended and that senate bill No. 209 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Gowan—3.

So the rules were suspended and senate bill No. 209 was read first time by title only and passed to second reading.

Senate bill No. 210. Senator Cogswell. (By unanimous consent.) A bill for an act to legalize the acts of persons within the state of Oregon, who, by mistake, continued to act as notary public after the expiration of their term of office.

Senator Cogswell moved that the rules be suspended and that senate bill No. 210 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Gowan, and Johnson—3.

So the rules were suspended and senate bill No. 210 was read first time by title only and passed to second reading.

Senator Cogswell moved that the rules be further suspended and that senate bill No. 210 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Gowan—2.

So the rules were suspended and senate bill No. 210 was read second time by title only.

Senate bill No. 210 was referred to the committee on revision of laws.

Senate bill No. 211. Senator Alley. (By unanimous consent.) A bill for an act to amend an act to provide for the improvement of Fall creek and Little Fall creek, in Lane county, Oregon, and for the establishment and maintenance of booms on said streams, filed in the office of the secretary of state February 15, 1889.

Senator Alley moved that the rules be suspended and that senate bill No. 211 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 28.

Nays — None.

Absent — Senators Carter and Gowan — 2.

So the rules were suspended and senate bill No. 211 was read first time by title only and passed to second reading.

Senate bill No. 74 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 26.

Nays — None.

Absent — Senators Carter, Cogswell, Johnson, and Maxwell — 4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 26 coming on for third reading, was read third time.

On motion of Senator Butler, senate bill No. 26 was recommended to the committee on judiciary with instructions to amend as follows, viz.: "*provided*, that like notice of the petition to mortgage the said property of the estate shall be given in case of petition to sell such real property," with leave to report at any time.

Senate bill No. 61 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Cogswell, Holt, and Johnson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 65 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Butler, Gesner, Hobson, Holt, Patterson, Price, Smith of Clatsop, Steiwer, and Vanderburg—10.

Nays—Senators Bancroft, Beckley, Calbreath, Cogswell, Dawson, Denny, Gowan, Huston, Johnson, King, McAlister, McClung, McGinn, Raley, Smith of Sherman, Woodard, and Mr. President—17.

Absent—Senators Alley, Carter, and Maxwell—3.

So the bill failed to pass.

Sanate bill No. 113 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—Senator Butler—1.

Absent—Senators Carter and Maxwell—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 105 coming on for third reading, was read third time.

On motion of Senator Cogswell, the vote by which senate bill No. 105 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Cogswell, senate bill No. 105 was referred to the committee on judiciary.

Senate bill No. 108 coming on for third reading, was read third time.

On motion of Senator Bancroft, senate bill No. 108 was laid on the table.

The special committee appointed at the last session of the legislative assembly, to whom was referred senate bill No. 53, submitted the following report:—

#### MAJORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

A majority of the committee appointed at the last session of the senate for the purpose of investigating the feasibility and advisability of constructing a portage railroad around the falls at the dalles from a point at or near the town of Celilo to the city of The Dalles in Wasco county, Oregon, beg leave to submit their report:

The necessity for cheaper transportation for the products of eastern Oregon to the seaboard are greater today than ever before, on account of the extreme low price of agricultural products, and there being no practical method to secure a considerable and permanent reduction of the cost of transportation, except by the improvement of the Columbia river in such a manner as to overcome the obstructions to navigation at the cascades and the dalles in a way that will secure durability and economy in the transportation of freight, necessitating a large expenditure of money, much larger, in the estimation of your committee, than the state could or would undertake in these days of financial depression. Your committee, therefore, deemed it advisable for one of its members to visit Washington City to confer with the Oregon delegation in congress, the committee on rivers and harbors, and the United States engineering department, for the purpose of ascertaining what prospect there was for the general government taking this important work in hand at an early day. Accordingly, Mr. Denny was requested to visit Washington with this object in view. Upon Mr. Denny's return, his report was so favorable for immediate action by the general government that your committee considered further action looking to the construction of a portage road by the state alone at this time unadvisable.

The work of the construction of the canal and locks at the cascades being now under contract, and the money to complete it having been appropriated by congress, it is confidently ex-

pected that the obstructions to navigation at that point will be overcome within another year, while the general government has already entered upon the work of improving the dalles of the Columbia, one hundred thousand dollars having been appropriated by congress in the last river and harbor bill with which to make the survey and to secure right of way preparatory to the commencement of the construction of a boat railway. The survey and location of the roadbed have already been made by Major Post, the government engineer in charge of such public improvements in Oregon and Washington, and his report has already been forwarded to the engineering department at Washington. A portion of your committee went over the line of survey in company with Major Post and Major McNeil, of the Oregon Railway and Navigation Company, and it was the unanimous opinion that a boat railway is the only feasible permanent plan for overcoming the obstructions to navigation at the dalles in the Columbia.

The first board of engineers appointed to report a plan for the improvement of the river at this point unanimously reported in favor of a boat railway to be located on the Washington or north side of the river, and estimated the cost of the same at two million eight hundred thousand dollars, and the cost of improving the rapids at one hundred and fifty thousand dollars additional. The last board changed the location to the Oregon or south side of the river, and reduced the estimate of the cost of the railway to two million one hundred and fourteen thousand dollars, which, with one hundred and fifty thousand dollars, the cost of improving the rapids below, made a total estimate of the work of two million two hundred and sixty-four thousand dollars. The board were unanimous in the opinion that a boat railway was entirely practicable.

A majority, however, preferred a canal to a boat railway. Two of the more eminent engineers upon the board, Colonel Mendall and Mr. Alexander, made minority reports sustaining the opinion that a boat railway was the most practicable and economical scheme for overcoming the obstructions. Mr. Alexander strongly maintained also that a canal was impracticable on account of the character of the rocks, through which it must be constructed, and the drifting sands which can be shoveled from a railroad track, but must be dredged from a canal. The character of the permanent improvement at the dalles is now settled by the action of congress.

We are informed by the engineer in charge of the work that it is expected that the one hundred thousand dollars already appropriated will be sufficient to secure the right of way and the



preparation of the working plans, and the members of our delegation in congress assure us that they will be able in the next river and harbor bill to secure a provision placing the work under contract, and after that is done the railway should be completed and put in operation within three or four years at most.

From all we can learn there has never been any probability of congress providing for the construction of a portage road, while owing to the cost of operating and handling freight, a portage road would not afford adequate relief to the producers of eastern Oregon, it would no doubt afford some relief by cheapening transportation to some extent; and the practical question presented for the consideration of the legislature is whether the state will give this relief by the construction and operation of a portage road until the boat railway is completed. The last board of engineers surveyed and estimated the cost of portage roads on two different lines on the south side of the river. One line located without regard to the location and construction of the boat railway they estimated would cost four hundred and odd thousand dollars. A road constructed on the other line, located so that the roadbed could be used in part for the boat railway, they estimated would cost six hundred and odd thousand dollars; should the state provide for the construction of a portage road, these surveys and estimates would no doubt be available.

Senator Dolph, who is a member of the senate committee on commerce, which has charge of the river and harbor bill in the senate, believes that it is practicable to secure in connection with the next appropriation for the boat railway a provision that the roadbed shall be graded and one tract constructed without delay, and when that is done the state shall be authorized to use the track as a portage road under such regulations as the secretary of war may prescribe so as not to interfere with the prosecution of the work; and we understand Major Post believes this to be practicable, and that there is no serious objection to it from an engineering or other point of view. Before the roadbed of the boat railway can be graded and a track laid, the canal and locks at the cascades will undoubtedly be completed, and the rails of the portage road could be used for approaches to the main track at the dalles, and the rolling stock transferred there for the operations of the roads, and thus the completion of the boat railway and the full relief would afford to shippers be anticipated two or three years or probably more, by the relief which would be afforded by a temporary portage road operated by the state.

O. N. DENNY,

W. W. STEIWER,

Committee.

## MINORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

As one member of the committee appointed at the last session of the senate for the purpose of investigating the feasibility and advisability of constructing a portage railroad around the falls at the dalles from a point at or near the town of Celilo to the city of The Dalles, in Wasco county, Oregon, I am compelled by a deep sense of duty toward the people of eastern Oregon to submit a minority report. I fully concur with the majority of your committee as to the urgent necessity at this time for cheaper transportation, and I concur in the belief that the present legislature, owing to the heavy burdens of taxation already imposed upon our people would not be justified in making an appropriation of four hundred and fifty thousand dollars or of a sufficient sum to build and equip a portage railway, as heretofore contemplated. The chairman of the committee was selected by the committee to visit Washington with the view of obtaining, if possible, government assistance for the construction of a portage road, and the results of such visit are set forth in the report of the majority, who appear of the opinion that the appropriation of one hundred thousand dollars made by congress for surveys and procuring right of way looking toward the construction of a boat railway is of sufficient significance to satisfy the demands of our people for an open river. From this view I am compelled to dissent. To me this appropriation of one hundred thousand dollars in the interest of a project that is estimated to cost in the vicinity of two and one half million dollars, and consume ages of time in its construction, is only evidence of a delay which our people can illy afford to bear. Realizing that we may expect no aid from the general government, and full well understanding the burden of further taxing our own people, I now look upon the immediate building of a portage road as impracticable, but believe that a full solution is found in senate bill No. 68, introduced by Senator Smith of Sherman, and earnestly recommend its passage at this session.

Respectfully,

J. H. RALEY.

On motion of Senator Denny, the reports were ordered printed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 4, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 5.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
 Chief clerk.

On motion of Senator Cogswell, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
 Chief clerk.

TUESDAY, FEBRUARY 5, 1895.

## MORNING SESSION.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 5, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. Laurence Sinclair.

On motion of Senator McGinn, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 83 coming on for third reading, was read third time.

Senate bill No. 83 was informally re-referred to the committee on engrossed bills for the purpose of correcting errors in the engrossed bill.

On motion of Senator Cogswell, the courtesies of the senate were extended to Judge Warren Truitt of Alaska, and he was invited to a seat within the bar.

Senate bill No. 77 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senators Beckley and Johnson—2.

Absent—Senators Alley, Carter, and Dawson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 29 coming on for third reading, was read third time.

There being no objection, Senator Huston amended senate bill No. 29 by striking out the words "the official," and inserting in lieu thereof the word "some."

Senator Johnson amended senate bill No. 29 by inserting the word "county" before the word "court," wherever the same appeared in the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Carter, McClung, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 212. Senator Dawson. (By unanimous consent.) A bill for an act declaring that the state of Oregon proposes to exercise its option, and the right and privileges reserved to it, of taking and appropriating the canal and locks at and on the west side of the Willamette falls, and providing for ascertaining the value thereof and the amount to be paid therefor.

Senator Dawson moved that the rules be suspended and that senate bill No. 212 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, John-

son, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Carter—2.

So the rules were suspended and senate bill No. 212 was read first time by title only and passed to second reading.

On motion of Senator McAlister, the courtesies of the senate were extended to Hon. R. E. Bryan, and he was invited to a seat within the bar.

Senate bill No. 213. Senator Dawson. (By unanimous consent.) A bill for an act for the protection of game, fish, and wild fowl in the state of Oregon.

Senator Dawson moved that the rules be suspended and that senate bill No. 213 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Alley and Carter—2.

So the rules were suspended and senate bill No. 213 was read first time by title only and passed to second reading.

Senate bill No. 214. Senator Smith of Clatsop. (By unanimous consent.) A bill for an act to repeal sections 2733 and 2835 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the collection of poll tax.

Senate bill No. 214 was read first time and passed to second reading without question.

Senate bill No. 215. Senator Vanderburg. (By unanimous consent.) A bill for an act to amend section 12 of chapter III of an act entitled "An act to incorporate the town of Coquille City, Coos county, Oregon, and to repeal an act entitled an act to incorporate the town of Coquille City, in Coos county, Oregon, approved February 25, 1885," filed in the office of the secretary of state February 18, 1891, relating to the qualification of voters.

Senator Vanderburg moved that the rules be suspended and that senate bill No. 215 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gowan, Hobson, Holt, Huston, Johnson, King,

Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Dawson, Gesner, and Raley—4.

So the rules were suspended and senate bill No. 215 was read first time by title only and passed to second reading.

Senator Huston moved that the committee on revision of laws be relieved from further consideration of house joint resolution No. 2.

On motion of Senator Cogswell, the motion to relieve the committee on revision of laws from further consideration of house joint resolution No. 2 was laid on the table.

Senator McGinn moved that the senate take a recess until 11:55 o'clock today.

The motion was lost.

Senate bill No. 84 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, Carter, and Cogswell—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 216. Senator Calbreath. (By unanimous consent.) A bill for an act to amend section 1 of an act to provide for the filing of chattel mortgages, passed by the legislative assembly of the state of Oregon at its seventeenth regular session.

Senator Calbreath moved that the rules be suspended and that senate bill No. 216 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Carter, Cogswell, Dawson, McAlister, and McGinn—6.

So the rules were suspended and senate bill No. 216 was read first time by title only and passed to second reading.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 18, 38, and 68, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 102 coming on for third reading, Senator Smith of Clatsop moved that the vote by which the bill was ordered engrossed and to third reading tomorrow be reconsidered.

On motion of Senator Smith of Clatsop, senate bill No. 102 was re-referred to the committee on municipal corporations.

Senate bill No. 62 coming on for third reading, was read third time.

On motion of Senator Raley, the vote by which senate bill No. 62 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Gowan, senate bill No. 62 was referred to the committee on revision of laws, with leave to report at any time.

On motion of Senator Cogswell, the senate at 11:10 o'clock took a recess until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of February 5, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.



The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Templeton and Scott, who were announced as being paired.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Baker, Boothby, Cooper, Curtis, Hillegas, Hofer, Johnson, McClung, Patterson of Grant, Smith of Linn, and Yates—12.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Coon, Craig, Gates, Guild, Keyt, Lester, Lyle, Rinearson, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Dunn, and Wright—3.

Absent and paired—2.

Total number of votes cast—88.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

## IN THE SENATE.

The senate was called to order at 12:24 o'clock p. m. by the president.

On motion of Senator Raley, the senate, at 12:25 o'clock p. m., adjourned until 3 o'clock p. m. today.

WALTER SINCLAIR,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

The senate was called to order at 3 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Carter, who was absent on account of sickness.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate concurrent resolutions Nos. 3, 4, 9, 11, 12, 13, and 15, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint memorials Nos. 1 and 5, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate resolutions Nos. 5, 6, 7, 9, 11, and 12, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

The following communication was received from Prof. Z. M. Parvin:—

## COMMUNICATION.

SALEM, Oregon, February 5, 1895.

*Hon. Joseph Simon, President of the Senate:*

DEAR SIR: You and through you the honorable senate of the legislature of the state of Oregon are cordially invited to attend the musical recital of the conservatory of music of Willamette university at the university chapel, tomorrow evening, February 6th, at 8 o'clock. Complimentary tickets are now on the desk of each member.

Truly yours,

Z. M. PARVIN,  
Musical director.

On motion of Senator Cogswell, the invitation was accepted.

Senate bill No. 72 coming on for third reading, was read third time.

On motion of Senator Smith of Clatsop, the vote by which senate bill No. 72 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator Smith of Clatsop, senate bill No. 72 was re-referred to the committee on judiciary, with leave to report at any time.

On motion of Senator McClung, senate bill No. 76 was taken from the table.

On motion of Senator McClung, senate bill No. 76 was referred to the committee on judiciary.

Senate bill No. 93 coming on for third reading, was read third time.

On motion of Senator McGinn, the vote by which senate bill

No. 93 was ordered engrossed and to third reading tomorrow was reconsidered.

On motion of Senator McGinn, senate bill No. 93 was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 3 coming on for third reading, was read third time.

There being no objection, Senator Patterson amended senate bill No. 3 by striking out the number "2,500" and inserting in lieu thereof the number "20,000."

Senator Holt was excused from voting on senate bill No. 3.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—Senators King and McAlister—2.

Present and not voting—Senator Holt—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 96 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Cogswell—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 5, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred sen-

ate bills Nos. 50, 79, and 95, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 37, 51, 103, 182, and 115, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBRAITH,  
Chairman.

On motion of Senator Cogswell, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

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WEDNESDAY, FEBRUARY 6, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Carter, who was absent on account of illness.

The morning session of the senate was opened with prayer by Rev. J. C. Templeton.

On motion of Senator McGinn, the reading of the journal of yesterday's proceedings was dispensed with.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 5, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 228,—a bill for an act to create the office of county auditor for Multnomah county and to define the duties of such officer.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 2, senate joint memorials Nos. 1 and 5, and senate concurrent resolutions Nos. 3, 4, 9, 11, 12, and 13.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 103, 182, 37, 115, and 51.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 103, 182, 37, 51, and 115, senate joint memorials Nos. 1 and 5, senate concurrent resolutions Nos. 14, 4, 9, 11, 12, 13, and 3, and senate joint resolution No. 2, and soon thereafter declared that he had signed the same.

Senator Calbreath moved that the rules be suspended and that house bill No. 16 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Huston, and Smith of Clatsop—3.

So the rules were suspended and house bill No. 16 was read second time by title only.

Senator Calbreath move that the rules be further suspended and that house bill No. 16 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Huston—2.

So the rules were suspended and house bill No. 16 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 83 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.



Nays—None.

Absent—Senators Carter and Denny—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 18 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—23.

Nays—Senators Beckley, Dawson, Holt, Huston, Johnson, and Vanderburg—6.

Absent—Senator Carter—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 38 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Huston—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 217. Senator Cogswell. (By unanimous consent.) A bill for an act to amend an act entitled an act to provide for the protection of game, fish, and wild fowl, and to amend sections 193 and 1932 of the general laws of Oregon, as found in the second edition of the code thereof, compiled and annotated by William Lair Hill, and to amend section 1 of an act entitled an act to protect the ring-necked Mongolian pheasant, quail or bobwhite, prairie chicken, and pheasant in that part of the state of Oregon east of the Cascade mountains, approved February 21, 1891, filed in the office of the secretary of state February 22, 1893.

Senator Cogswell moved that the rules be suspended and that senate bill No. 217 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and senate bill No. 217 was read first time by title only and passed to second reading.

Senate bill No. 218. Senator Holt. (By unanimous consent.) A bill for an act to exempt homesteads from attachments and judicial sale.

Senator Holt moved that the rules be suspended and senate bill No. 218 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and senate bill No. 218 was read first time by title only and passed to second reading.

Senate bill No. 68 coming on for third reading, Senator Bancroft moved that the vote by which senate bill No. 68 was ordered engrossed and to third reading tomorrow be reconsidered.

The motion prevailed.

On motion of Senator Bancroft, senate bill No. 68 was referred to the committee on judiciary, with leave to report at any time.

Senator Raley moved that the minority report to senate bill No. 53 of the seventeenth regular session be adopted.

Senator Denny moved that the majority report to senate bill No. 53 be substituted for the minority report.

Senators Raley and Smith of Sherman demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Dawson, Denny, Gesner, Maxwell, McClung, McGinn, Patterson, Steiwer, and Mr. President—10.

Nays—Senators Beckley, Brownell, Butler, Calbreath, Cogswell,

Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, Price, Raley, Smith of Clatsop, Smith of Sherman, Vanderburg, and Woodard—18.

Absent—Senators Alley and Carter—2.

So the senate refused to substitute the majority report.

Senator Cogswell moved to postpone further consideration of the reports until February 9th, at 10 o'clock a. m.

Senators King and Smith of Sherman demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Cogswell, Gowan, and Hobson—5.

Nays—Senators Beckley, Brownell, Butler, Dawson, Denny, Gesner, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Absent—Senators Calbreath and Carter—2.

So the senate refused to postpone action on the reports of the committee.

The vote then recurred upon the motion of Senator Raley to adopt the minority report.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Cogswell, Gowan, Holt, Huston, King, McAlister, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—16.

Nays—Senators Bancroft, Calbreath, Dawson, Johnson, Maxwell, McClung, McGinn, Patterson, and Mr. President—9.

Absent—Senators Alley, Carter, Denny, Gesner, and Hobson—5.

So the senate adopted the minority report.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 100, beg leave to report the same back to senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

On motion of Senator Cogswell, a recess was taken until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, for the purpose of voting for a United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of February 6, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter and Cogswell.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Myers, Rinearson, Scott, and Templeton.

The following named gentlemen were announced as being paired on the vote for United States senator: Carter with Cogswell, Myers with Rinearson, and Scott with Templeton.

On motion of Representative Sehlbrede, the reading of the journal of the proceedings of the joint convention of Tuesday, the 5th instant, was dispensed with.

The president announced that no person having received a majority of all the votes cast for United States senator for Oregon in the joint convention of Tuesday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Baucroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—39.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman,

Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Coon, Gates, Keyt, Lester, Lyle, Tigard, and Wright—9.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Baker, Boothby, Cooper, Craig, Curtis, Hillegas, Hofer, Johnson, McClung, Patterson of Grant, Smith of Linn, and Yates—13.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Dunn, and Guild—3.

Absent and paired—6.

Total number of votes cast—84.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator Maxwell, the senate adjourned until 3 o'clock p. m. today.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

The senate was called to order at 3 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Carter, who was absent on account of illness.

Unanimous consent being given, Senator Patterson introduced senate joint resolution No. 7.

#### SENATE JOINT RESOLUTION NO. 7.

*Be it resolved by the Senate, the House concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed:

ARTICLE I.

The elective franchise in this state shall not hereafter be prohibited to any citizen on account of sex.

Senator Patterson moved the adoption of the resolution.

Senator Cogswell moved to refer the resolution to the committee on judiciary.

The motion was lost.

The vote then recurred upon Senator Patterson's motion to adopt.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, McClung, Patterson, Price, Smith of Clatsop, Steiwer, and Vanderburg—17.

Nays—Senators Bancroft, Butler, Calbreath, Cogswell, Huston, McAlister, McGinn, Raley, Smith of Sherman, Woodard, and Mr. President—11.

Absent—Senators Carter and Maxwell—2.

So senate joint resolution No. 7 was adopted.

The following communication was received from Senator Carter:

COMMUNICATION.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*To the Honorable the President of the Senate:*

SIR: Under existing circumstances I think the appointment of another chairman of the committee on agriculture and forestry would be the proper thing to do, and the reappointment to be permanent.

TOLBERT CARTER.

No objection being made, the resignation of Senator Carter as chairman of the committee on agriculture and forestry was accepted, and the president appointed Senator Alley as chairman of the committee on agriculture and forestry vice Senator Carter.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No 24.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bill No. 24, and soon thereafter declared that he had signed the same.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 6, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills: Senate bills Nos. 37, 51, 103, 115, 182, and that they have been filed this date with the secretary of state; also that he approved and signed senate bill No. 41 on January 22d, and it was filed that date with the secretary of state.

W. S. DUNNIWAY,  
Private secretary.

Senate bill No. 219. Senator King. (By unanimous consent.) A bill for an act to provide for the treatment and cure of habitual drunkards.

Senator King moved that the rules be suspended and senate bill No. 219 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Maxwell—2.

So the rules were suspended and senate bill No. 219 was read first time by title only and passed to second reading.

Senate bill No. 220. Senator Steiwer. (By unanimous consent.) A bill for an act to make certain and establish the boundary line between Wasco and Multnomah counties.

Senate bill No. 220 was read first time and passed to second reading without question.

Senator Steiwer moved that the rules be suspended and senate bill No. 220 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—



Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Maxwell—2.

So the rules were suspended and senate bill No. 220 was read second time by title only and passed to third reading.

Senate bill No. 220 was referred to a special committee, consisting of the senators from Multnomah, Gilliam, Sherman, and Wasco counties.

Senate bill No. 50 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Gowan, Huston, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Woodard, and Mr. President—13.

Nays—Senators Alley, Beckley, Butler, Calbreath, Dawson, Denny, Gesner, Hobson, Holt, Johnson, McClung, Smith of Clatsop, Steiwer, and Vanderburg—14.

Absent—Senators Carter, Cogswell, and King—3.

So the bill failed to pass.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 62, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In line one of printed bill, after the word "seats," strike out the word "and," and insert in lieu thereof the word "in."

#### AMENDMENT.

In line two of section 1 of printed bill, strike out the word "next" and insert the word "last."

## AMENDMENT.

In line six of said section 1, after the word "held," strike out the word "within."

## AMENDMENT.

In line seven strike out the words "six months thereafter," and insert in lieu thereof the words "at the next succeeding general election thereafter."

## AMENDMENT.

In line ten of section 1 of printed bill, after the word "election," insert "and the said election shall be conducted in the same manner as any general election and the same judges and clerks shall act as are qualified at such general election."

## AMENDMENT.

In line four of section 5 of printed bill, strike out all the words after "Oregon," and strike out all of line five.

## AMENDMENT.

In line three of section 6, after the word "election," insert the words "upon that question."

## AMENDMENT.

Also strike out all of line two after the word "cast," all of line three, all of line four, all of line five, and all of line six up to and including the word "held."

## AMENDMENT.

In line eight of said section 7, after the word "candidates," insert "at the next succeeding general election."

## AMENDMENT.

In line four of section 10, strike out the word "five," and insert in lieu thereof the word "ten."

H. E. MCGINN,  
Chairman.

On motion of Senator Gowan, the amendments were adopted.

On motion of Senator Gowan, senate bill No. 62 was ordered engrossed and to third reading tomorrow.

On motion of Senator Brownell, the courtesies of the senate

were extended to Judge Thomas A. McBride, and he was invited to a seat within the bar.

Senator McGinn moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 79 coming on for third reading, was read third time.

Unanimous consent having been first obtained, Senator Brownell, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 67, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,  
Chairman.

On motion of Senator Brownell, senate bill No. 67 was ordered engrossed and to third reading tomorrow.

Senator Johnson moved that the senate do now adjourn.

The motion was lost.

Unanimous consent having been first obtained, Senator Brownell, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 135, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

In lines four and seven of section 1 and lines one and five of section 2, after the word "tramway," insert the word "chute."

GEO. C. BROWNELL,  
Chairman.

On motion of Senator Brownell, the amendment was adopted.

On motion of Senator Brownell, senate bill No. 135 was ordered engrossed and to third reading tomorrow.

On motion of Senator Butler, while senate bill No. 79 was pending, the senate adjourned until 10 o'clock tomorrow.

WALTER SINCLAIR,  
Chief clerk.

THURSDAY, FEBRUARY 7, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the members were present, except Senator Carter, who was absent on account of illness.

The morning session of the senate was opened with prayer by Rev. H. A. Denton.

On motion of Senator Dawson, the reading of the journal of yesterday's proceedings was dispensed with.

Senator Alley gave notice that he would tomorrow move to reconsider the vote by which senate bill No. 50 failed to pass.

The senate, at time of adjournment yesterday, had under consideration senate bill No. 79, and at this time, on motion of Senator Denny, further consideration of the bill was postponed until Monday next, the 11th instant, at 3 o'clock p. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate joint resolution No. 7, proposing an amendment to the constitution, granting the elective franchise to women.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint resolution No. 13 of the seventeenth biennial session, proposing an amendment to the constitution of the state and amending section 10, article VII of the constitution, authorizing the legislature to increase the number of supreme and circuit judges.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 10 of the seventeenth biennial session, proposing an amendment to the constitution of the state, providing for article XIX, which authorizes the right of eminent domain for irrigation purposes.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 10.

[SEVENTEENTH BIENNIAL SESSION.]

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and hereby is proposed: That the constitution be amended by adding article XIX, as follows, to wit:

ARTICLE XIX.

Section 1. The necessary use of lands for the construction of reservoirs or storage basins for the purpose of irrigation or for rights of way for the construction of canals, ditches, flumes or pipes to convey water to the place of use for any useful, beneficial or necessary purpose, or for drainage, or for drainage of mines or the other workings thereof, by means of roads, railroads, tramways, cuts, tunnels, shafts, hoisting works, dump or other

necessary means to their complete development, or any other use necessary to the complete development of the natural resources of the state or preservation of the health of its inhabitants, is hereby declared to be a public use, and subject to the regulation and control of the state.

Section 2. The right to appropriate the unappropriated waters of any natural stream to beneficial uses shall never be denied.

Section 3. The use of all waters now appropriated for sale, rental or distribution, also of all waters originally appropriated for private use, but which, after such appropriation, has heretofore been or may hereafter be sold, rented or distributed, is hereby declared to be a public use and subject to the regulation and control of the state in the manner prescribed by law; but the right to use and appropriate such waters shall be subject to such provisions of law for the taking of private property for public or private use as provided in section 18, article I of the constitution of the state of Oregon.

Section 4. The right to collect taxes or compensation for the use of water supplied to any county, city, town or water district, or inhabitants thereof, is a franchise, and cannot be exercised except by authority of, and in a manner prescribed by law.

Adopted by the house February 15, 1893.

(Signed March 7, 1893.)

W. P. KEADY,  
Speaker of the house.

Adopted by the senate February 17, 1893.

(Signed March 28, 1893.)

C. W. FULTON,  
President of the senate.

House joint resolution No. 10 was referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 1 of the seventeenth biennial session, relating to an amendment to section 31 of article I of the state constitution, relating to the right of white foreigners to hold property.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

THURSDAY, FEBRUARY 7, 1895.

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HOUSE JOINT RESOLUTION NO. 1.

[SEVENTEENTH BIENNIAL SESSION.]

*Resolved by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 31 of article I be amended by striking out the following portions thereof, to wit: "White foreigners who are or may hereafter become residents of this state shall enjoy the same rights in respect to the possession, enjoyment, and descent of property as native born citizens;" and so that said section of said article shall read as follows:

Section 31. The legislative assembly shall have power to restrain and regulate the immigration to this state of persons not qualified to become citizens of the United States.

Adopted by the house January 11, 1893.

W. P. KEADY,  
Speaker of the house.

Concurred in by the senate January 30, 1893.

C. W. FULTON,  
President of the senate.

House joint resolution No. 1 was referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 100.

And the same is herewith returned for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bill No. 100, and soon thereafter declared that he had signed the same.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 7, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate



joint resolution No. 7, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senate bill No. 95 coming on for third reading, was read third time.

There being no objection, Senator Huston amended senate bill No. 95 as follows: Add after the word "issue," in last line of section 20, the following: "*Provided*, that nothing in this act shall be construed to affect contracts made prior to the taking effect of this act.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—25.

Nays—Senators Price, Raley, and Mr. President—3.

Absent—Senators Carter and Denny—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 7, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bill: Senate bill No. 100.

W. S. DUNIWAY,  
Private secretary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 87.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 86,—a bill for an act amending sections 72 (71) 73 (72), and 76 (75) of the code of civil procedure of the state of Oregon, as compiled and annotated by W. Lair Hill, relating to pleadings in civil action.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 221. Senator Huston. (By unanimous consent.) A bill entitled "An act to forbid the display of foreign flags on public buildings."

Senate bill No. 221 was read first time and passed to second reading without question.

House bill No. 122 coming on for first reading, was read first time and passed to second reading without question.

Senator Gesner moved that the rules be suspended and that house bill 122 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Carter, Denny, McClung, and McGinn—5.

So the rules were suspended and house bill No. 122 was read second time by title only.

House bill No. 122 was referred to the committee on municipal corporations.

House bill No. 57 coming on for first reading, Senator Johnson moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Carter, Cogswell, McGinn, and Patterson—5.

So the rules were suspended and house bill No. 57 was read first time by title only and passed to second reading.

House bill No. 317 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 254 coming on for first reading, was read first time and passed to second reading without question.

Senator Holt moved that the rules be suspended and that house bill No. 254 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Carter, Denny, and McGinn—4.

So the rules were suspended and house bill No. 254 was read second time by title only.

House bill No. 254 was referred to the committee on municipal corporations.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 62, 67, and 135, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

House bill No. 249 coming on for first reading, Senator Johnson moved that the rules be suspended and that the bill read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Carter, Calbreath, and McClung—4.

So the rules were suspended and house bill No. 249 was read first time by title only and passed to second reading.

House bill No. 142 coming on for first reading, was read first time and passed to second reading without question.

Senator Johnson moved that the rules be suspended and that house bill No. 142 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Carter—1.

So the rules were suspended and house bill No. 142 was read second time by title only.

House bill No. 142 was referred to the committee on municipal corporations.

House bill No. 149 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 7 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 233 coming on for first reading, was read first time and passed to second reading without question.

On motion of Senator Raley, the senate, at 11:45 o'clock, took a recess until 11:55 o'clock a. m. today.

The senate was called to order at 11:55 o'clock a. m. by the president.

The following communication was received from Hon. H. W. Corbett:—

#### COMMUNICATION.

PORTLAND, Oregon, February 7, 1895.

*Hon. Joseph Simon, President of the Joint Convention, Salem, Oregon:*

H. W. Corbett, chairman of the Committee of One Hundred, asks the acceptance of all the members to a dinner to be given by him in their honor, at 8 o'clock in the evening, at the Hotel Portland. Those living out of the city are asked to be the guests of the hotel until Sunday evening.

H. W. CORBETT.

On motion of Senator Denny, the invitation of Hon. H. W. Corbett was accepted.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 7, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senator Carter, who was absent on account of sickness.

The chief clerk of the house called the roll of the house, and all the members were present, except Representative Scott, who was absent on account of sickness.

It was announced that Senator Carter and Representative Scott were paired on the vote for United States senator.

There being no objection, the reading of the journal of the proceedings of the joint convention of Wednesday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—8.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Coon, Gates, Keyt, Lester, Lyle, Rinearson, and Tigard—9.

Those voting for Hon. Binger Hermann were: Messrs. Alley, Baker, Boothby, Cooper, Craig, Curtis, Hillegas, Hofer, Johnson, McClung, Patterson of Grant, Smith of Linn, and Yates—13.

Those voting for Hon. S. A. Lowell were: Messrs. Davis, Gurdane, and Hope—3.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Dunn, Guild, and Wright—4.

Total number of votes cast—88.

Absent and paired—2.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator Raley, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

FRIDAY, FEBRUARY 8, 1895.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Carter, who was absent on account of sickness.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Gowan, the reading of the journal of yesterday's proceedings was dispensed with.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 7; also senate joint resolution No. 13, the latter being of the seventeenth session.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate joint resolution No. 7, and also senate joint resolution No. 13, of the seventeenth regular session, and soon thereafter declared that he had signed the same.

Senators Smith of Sherman, Maxwell, and Smith of Clatsop, presented cigarette petitions, asking for the enactment of a law prohibiting the manufacture and sale of cigarettes to youths, and the same were referred to the committee on education.

Senator Smith of Clatsop presented a petition from the inhabitants of Clatsop and Columbia counties, praying for the destruction of fish traps and fish wheels, and the same was referred to the committee on fishing industries.

House bill No. 27 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 228 coming on for first reading, Senator Daw-



son moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Butler and Carter—2.

So the rules were suspended and house bill No. 228 was read first time by title only and passed to second reading.

Senator Cogswell moved that the rules be further suspended and that house bill No. 228 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Bancroft, Carter, Johnson, McAlister, and McClung—5.

So the rules were suspended and house bill No. 228 was read second time by title only.

House bill No. 228 was referred to a special committee, consisting of the senators from Multnomah county.

House bill No. 86 coming on for first reading, was read first time and passed to second reading without question.

Senator Cogswell moved that the rules be suspended and that house bill No. 86 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, and Mr. President—17.

Nays—Senators Beckley, Huston, McAlister, Smith of Sherman, and Vanderburg—5.

Absent—Senators Alley, Bancroft, Brownell, Butler, Carter, Johnson, McClung, and Woodard—8.

So the senate refused to suspend the rules.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 68,—a bill for an act to amend section 2599 of the miscellaneous laws of the state of Oregon, as compiled and annotated by W. Lair Hill, relating to the time and manner of holding annual school meetings.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

House bill No. 68 coming on for first reading, was read first time and passed to second reading without question.

Senator Cogswell moved that the rules be suspended and that house bill No. 68 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, King, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Gesner, Huston, Johnson, Maxwell, McClung, and McGinn—7.

So the rules were suspended and house bill No. 68 was read second time by title only.

House bill No. 68 was referred to the committee on education.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 99,—a bill for an act authorizing the recorder of conveyances in the several counties of this state to take acknowledgement of deeds and administer oaths.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

House bill No. 99 was read first time and passed to second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 21,—a bill for an act to establish the number of jurors necessary to find a verdict in civil suits or actions in circuit courts.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

House bill No. 21 was read first time and passed to second reading without question.

Senator Gesner moved that the rules be suspended and that house bill No. 21 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Huston, Johnson, McClung, and McGinn—5.

So the rules were suspended and house bill No. 21 was read second time by title only.

House bill No. 21 was referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 192,—a bill for an act to amend sections 971 and 972, chapter XIII, title V of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

House bill No. 192 was read first time and passed to second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 74,—a bill for an act to amend sections 2814, 2815, 2816, and 2817 of Hill's annotated laws of Oregon, relating to the sale of real property for delinquent taxes.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

House bill No. 74 coming on for first reading, Senator Maxwell moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Cogswell, Dawson, Denny, Johnson, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 74 was read first time by title only and passed to second reading.

Senator Maxwell moved that the rules be further suspended and that house bill No. 74 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Cogswell, Dawson, Johnson, and McGinn—5.

So the rules were suspended and house bill No. 74 was read second time by title only.

House bill No. 74 was referred to the committee on assessment and taxation.

Senator Alley moved to reconsider the vote by which senate bill No. 50 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Cogswell, Dawson, Denny, Gowan, Hobson, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senators Beckley, Butler, Gesner, and Holt—4.

Absent—Senators Carter and Johnson—2.

So the vote by which senate bill No. 50 failed to pass was reconsidered.

On motion of Senator Raley, the vote by which senate bill No. 50 was ordered to third reading was reconsidered.

On motion of Senator Raley, senate bill No. 50 was referred to the committee on agriculture and forestry, with leave to report at any time.

Unanimous consent being given, Senator Maxwell, chairman of the committee of horticulture, to whom was referred senate bill No. 12, returned the same to the senate, and on motion of Senator Maxwell, the vote by which the bill was referred to the committee on horticulture was reconsidered.

On motion of Senator Maxwell, senate bill No. 12 was referred to the committee on agriculture and forestry, with leave to report at any time.

House bill No. 131 coming on for second reading, was read second time.

On motion of Senator Gowan, house bill No. 131 was ordered to third reading tomorrow.

House bill No. 169 coming on for second reading, was read second time.

On motion of Senator Gowan, house bill No. 169 was ordered to third reading tomorrow.

House bill No. 136 coming on for second reading, Senator Maxwell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,

Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Johnson, and McClung—3.

So the rules were suspended and house bill No. 136 was read second time by title only.

House bill No. 136 was referred to the committee on counties.

House bill No. 116 coming on for second reading, was read second time.

House bill No. 116 was referred to the committee on municipal corporations.

House bill No. 18 coming on for second reading, Senator Alley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Johnson, and McGinn—3.

So the rules were suspended and house bill No. 18 was read second time by title only.

Senator Holt moved that the rules be further suspended and that senate bill No. 18 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Johnson—2.

So the rules were suspended and house bill No. 18 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McAl-

ister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Carter, Dawson, Johnson, Maxwell, and Price—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the act.

House bill No. 130 coming on for second reading, Senator Hobson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Carter, Johnson, Maxwell, and Price—5.

So the rules were suspended and house bill No. 130 was read second time by title only.

House bill No. 130 was referred to a special committee, consisting of the senators from Lane county.

House bill No. 176 coming on for second reading, was read second time.

There being no objection, Senator Gesner amended the bill as follows: Amend section 4 so that it will read: "The present law being insufficient for the government of the town of Mt. Angel, this act shall take effect and be in full force from and after its approval by the governor."

Senator Dawson moved that the rules be suspended and that house bill No. 176 be read third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Johnson, Maxwell, McAlister, and Smith of Sherman—4.



So the rules were suspended and house bill No. 176 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President —26.

Nays—None.

Absent—Senators Johnson, Maxwell, McAlister, and Smith of Sherman —4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 243 coming on for second reading, Senator Dawson moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President —25.

Nays—None.

Absent—Senators Alley, Denny, Johnson, Raley, and Smith of Sherman —5.

So the rules were suspended and senate bill No. 243 was read second time by title only.

House bill No. 243 was referred to the committee on municipal corporation.

House bill No. 57 coming on for second reading, Senator Maxwell moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President —27.

Nays—None.

Absent—Senators Alley, Johnson, and Raley —3.

So the rules were suspended and house bill No. 57 was read second time by title only.

House bill No. 57 was referred to the committee on municipal corporations.

House bill No. 317 coming on for second reading, was read second time.

House bill No. 317 was referred to the committee on municipal corporations.

House bill No. 249 coming on for second reading, was read second time.

Senator Holt moved that the rules be suspended and that house bill No. 249 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Brownell and Johnson—2.

So the rules were suspended and house bill No. 249 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Johnson—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Raley, chairman of the special committee to whom was referred senate bill No. 153, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 153, beg leave to report that we have had the same under con-

sideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line four of section 1 of the printed bill strike out all after the word "district."

AMENDMENT.

Strike out all of lines five and six of same section.

AMENDMENT.

In line three of section 2 of the printed bill, after the words "sum of \$," insert the figures "1,800."

J. H. RALEY,  
Chairman.

! On motion of Senator Raley, the amendments were adopted.

On motion of Senator Raley, senate bill No. 153 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the special committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 1, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 1, beg leave to report that we have had the same under consideration and respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:—

AMENDMENT.

Amend the printed bill, page 1, section 4, line one, by inserting after the word "salary" the following: "Not exceeding twenty-four hundred dollars per annum."

AMENDMENT.

Strike out all of section 5 and number sections following accordingly.

AMENDMENT.

On page 2, section 6, line one, strike out the word "salaries" and insert in its stead the word "salary," and strike out the words "and his assistants are to" and insert in their stead the word "shall."

AMENDMENT.

In line two of said section 6 strike out the word "and" at the end of said line.

AMENDMENT.

In line three of said section strike out the following: "of his assistants" and the word "neither," and also after the word "Auditor" the words "or any of his assistants."

AMENDMENT.

In line four of said section after the word "shall" insert the word "not."

AMENDMENT.

On page 3, section 10, line one, strike out the word "police" and in its stead insert the word "municipal."

AMENDMENT.

In section 11 on said page 3, in line three, after the words "salary of three thousand" insert the words "five hundred."

AMENDMENT.

On page 4, section 15, in line one, strike out the words "for the city of Portland in said" and insert in their stead the following: "within the city of Portland in the," also in said section 15, line five, after the word "peace" strike out the word "of" and in lieu thereof insert the word "within."

AMENDMENT.

In section 16, line two, after the word "peace" strike out the word "of" and insert in lieu thereof the word "within."

AMENDMENT.

In section 17, line one, after the words "justice court" strike out the word "in" and insert in its stead the word "within."

## AMENDMENT.

On page 5 of said printed bill, section 25, line two, strike out the words "municipal judges" and insert in their stead the following: "justices of the peace, sheriffs, and county recorder."

## AMENDMENT.

On page 7, section 29, line 2, strike out the words "nor the treasurer pay" and insert in lieu thereof the word "of."

## AMENDMENT.

In line seven of said section 29 strike out the following: "or the treasurer to pay the same."

## AMENDMENT.

Strike out all of section 30 on said page 7 and number the sections following accordingly.

O. N. DENNY,  
Chairman.

Senator Bancroft, one of the members of the special committee to whom was referred senate bill No. 1, submitted the following minority report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

A minority of your committee, consisting of the senators from Multnomah county to whom was referred senate bill No. 1, beg leave to report that we have had the same under consideration and respectfully report it back to the senate with the recommendation that it do pass with the following amendment in addition to the amendments recommended by a majority of your committee, to wit:

## AMENDMENT.

Amend section 26 on page 7 of printed bill by striking out all of said section 26, after the word "herewith" in line two of said section and insert in lieu thereof the following, to wit: *provided*, that the provisions of this act providing for and fixing the salaries for the district attorney for the fourth judicial district, justices of the peace, constables, county assessors, and coroner in

Multnomah county shall take effect from and after the first Monday in July, A. D. 1896, and not prior thereto.

F. A. BANCROFT.

On motion of Senator Denny, the majority report was adopted.

Senator Steiwer was called to the chair by the president and presided over the senate.

Senator Bancroft moved the adoption of the minority report to senate bill No. 1.

On this question Senators Smith of Sherman and Bancroft called for the ayes and nays.

Pending the further consideration of this question, the hour arrived for a meeting of the joint convention.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 8, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Scott and Thompson, who were announced as being paired.

There being no objection, the reading of the journal of the proceedings of the joint convention of Thursday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk,

Smith of Josephine, Stanley, Steiwer, Templeton, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—8.

Those voting for Hon. W. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Cooper, Gates, Hofer, Johnson, Keyt, Lester, Lyle, Rinearson, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Curtis, Davis, Guild, Gurdane, Hope, and Wright—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, Hillegas, McClung, Patterson of Grant, Smith of Linn, and Yates—8.

Total number of votes cast—88.

Absent and paired—2.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Senator Brownell, the joint convention adjourned.

#### IN THE SENATE.

The senate was called to order at 12:25 o'clock p. m. by the president.

The committee on fishing industries was granted leave of absence for the remainder of the week.

Senator Denny was granted leave of absence for the remainder of the week.

On motion of Senator Bancroft, further consideration of the minority report to senate bill No. 1 was made a special order of business at 3 o'clock p. m. February 11, 1895.

On motion of Senator McClung, the senate, at 12:30 o'clock, took a recess until 3 o'clock p. m. today.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

The senate was called to order at 3 o'clock p. m., pursuant to adjournment, by the president.

The roll of the senate was called, and all the senators were



present, except Senators Bancroft, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop, who were absent on leave.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 71,—a bill for an act to regulate the doing of public works.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 350,—a bill for an act amending the charter of the city of Sheridan.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 195,—a bill for an act entitled an act to amend section 2897 of title III of chapter XVIII of the laws of Oregon, as annotated by William Lair Hill, relating to guardians and wards, approved February 16, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 46,—a bill for an act to amend an act entitled an act to prevent the spread of contagious animal diseases, approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 124,—a bill for an act amending section 1180 of title VII of chapter XV of Hill's annotated laws of Oregon, compiled by Wm. Lair Hill, relating to the compensation of executors and administrators.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 252,—a bill for an act to amend section 2465 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 38,—a bill for an act to amend section 2820 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the redemption of land sold for taxes.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 42,—a bill for an act entitled an act to provide for the forming of dyking districts for the purpose of building and maintaining dykes and dams on lands subject to tidal overflow or overflow by freshets, and providing for the collection and payment of the costs and the expenses of construction and maintenance of the dykes and dams by assessment and taxation on the lands thereby reclaimed or benefited.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 212,—a bill for an act to amend section 1779 of Hill's annotated laws of Oregon of the compilation of 1887.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 199,—a bill for an act to amend section 1170 of title VII of chapter XV of Hill's annotated laws of Oregon, as compiled by William Lair Hill, relating to accounts of executors and administrators, and fixing a definite time at which executors and administrators shall report.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 220,—a bill for an act to amend an act entitled "An act to amend section 3238 of title I of chapter XXXII of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill," filed in the office of secretary of state February 21, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 32,—a bill for an act regulating wire fences in eastern Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 351,—a bill for an act to amend the charter of Dalles City.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

House bill No. 351 coming on for first reading, Senator Steiwer moved that the rules be suspended and the bill read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Gesner, McGinn, and Smith of Clatsop—7.

So the rules were suspended and house bill No. 351 was read first time by title only and passed to second reading.

Senator Smith of Sherman moved that the rules be further suspended and that house bill No. 351 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Maxwell, Patterson, and Smith of Clatsop—7.

So the rules were suspended and house bill No. 351 was read second time by title only.

Senator Steiwer moved that the rules be further suspended and that house bill No. 351 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Maxwell, Patterson, and Smith of Clatsop—7.

So the rules were suspended and senate bill No. 351 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 6.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 6, and he soon thereafter declared that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

concurred in the senate amendment to section 4 of house bill No. 176.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 16 and 290.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 16 and 290, and he soon thereafter declared that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 2.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 6,—a bill for an act to authorize the board of pilot commissioners of the state of Oregon to build, construct, and equip for the state a good, staunch, and seaworthy pilot schooner, and appropriating therefor the sum of fifteen thousand dollars, and to authorize said board to sell the present pilot schooner San José.



And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 222. Senator Johnson, by request. (By unanimous consent.) A bill for an act to incorporate the city of Brownsville, and to repeal an act entitled "An act to incorporate the city of North Brownsville, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict herewith," filed in the office of secretary of state February 21, 1891; and to repeal an act entitled "An act to amend an act to incorporate the town of Brownsville, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith," filed in the office of the secretary of state February 21, 1891; and to repeal an act filed in the office of the secretary of state February 20, 1893, entitled an act to amend section 109 of chapter IX of an act entitled an act to amend an act to incorporate the town of Brownsville, in Linn county, state of Oregon, and to repeal all acts in conflict therewith, filed in the office of secretary of state February 21, 1891.

Senator Johnson moved that the rules be suspended and that senate bill No. 222 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Gesner, Patterson, and Smith of Clatsop—7.

So the rules were suspended and senate bill No. 222 was read first time by title only and passed to second reading.

Senator Johnson moved that the rules be further suspended and that house bill No. 222 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—6.

So the rules were suspended and senate bill No. 222 was read second time by title only.

Senator Johnson moved that the rules be further suspended and that senate bill No. 222 be considered engrossed and read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—6.

So the rules were suspended and senate bill No. 222 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Gesner, Patterson, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 87, beg leave to report the same back to senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senate bill No. 223. Senator Maxwell, by request. (By unanimous consent.) A bill for an act to amend an act entitled an

act act to amend an act entitled an act to amend an act entitled an act to regulate the salaries of county judges of the state of Oregon, approved February 20, 1885, approved February 21, 1887, approved February 25, 1889, and approved February 18, 1891.

Senate bill No. 223 was read first time and passed to second reading without question.

Senator Maxwell moved that the rules be suspended and that house bill No. 223 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Gesner, Patterson, Smith of Sherman, and Smith of Clatsop—8.

So the rules were suspended and senate bill No. 223 was read second time by title only.

Senate bill No. 223 was referred to the committee on counties.

Senator Raley moved that the rules be suspended and senate bill No. 135 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Huston, Johnson, Patterson, and Smith of Clatsop—8.

So the rules were suspended and senate bill No. 135 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Johnson, Patterson, and Smith of Clatsop—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 350 coming on for first reading, Senator Calbreath moved that the rules be suspended and the bill be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Huston, Patterson, Raley, Smith of Sherman, and Smith of Clatsop—9.

So the rules were suspended and house bill No. 350 was read first time by title only and passed to second reading.

Senator Calbreath moved that the rules be further suspended and that house bill No. 350 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Huston, Patterson, Raley, Smith of Sherman, and Smith of Clatsop—9.

So the rules were suspended and house bill No. 350 was read second time by title only.

Senator Maxwell moved that the rules be further suspended and that house bill No. 350 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Gesner, Hobson, King, Patterson, Raley, and Smith of Clatsop—10.

So the rules were suspended and house bill No. 350 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Huston, King, Patterson, Smith of Sherman, and Smith of Clatsop—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 72, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

That the title of said bill be amended so as to read as follows: "A bill for an act to abolish the use of private seals."

#### AMENDMENT.

Strike out all of said bill after the enacting clause and insert the following: "Section 1. That in all deeds, bonds, or other contracts hereafter executed the use of any private seal or scroll therein shall in no way affect the force, validity, or character thereof, and shall not be deemed primary evidence of consideration."

O. N. DENNY,  
Chairman.

On motion of Senator Steiwer, the amendments were adopted.

On motion of Senator Steiwer, senate bill No. 72 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 91, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

O. N. DENNY,  
Chairman.

Senators Cogswell and Huston, members of the judiciary committee, submitted the following minority report:—

MINORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

The undersigned members of the committee on judiciary, to whom was referred senate bill No. 91, beg leave to report that we have had the same under consideration, and respectfully make a minority report to the effect that the attached bill be substituted in the place of said bill and that the said substituted bill do pass.

C. A. COGSWELL,  
S. B. HUSTON.

Members of the committee on judiciary.

SUBSTITUTE.

Senate bill No. 224. A bill for an act to amend section 3 of an act entitled "An act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing ballots by public officers at public expense, to prevent frauds and punish crimes effecting the right of suffrage"; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885"; to repeal all of an act

entitled "An act to amend sections 4, 10, 14, 15, and 24 of an act entitled 'An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885,' approved November 25, 1885"; to repeal all of an act entitled "An act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885, November 25, 1885"; to repeal all of an act entitled "An act relating to elections, approved October 19, 1872"; to repeal sections 26, 27, and 28 of an act entitled "An act relating to elections, and the mode in filling vacancies in office, approved October 29, 1870"; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889"; the same being identical with titles I and II of chapter XIV, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act.

*Be it enacted by the legislative assembly of the state of Oregon:*

Section 1. That section 3 of an act entitled "An act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing of ballots by public officers at public expense, to prevent frauds and punish crimes affecting the right of suffrage"; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885"; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885"; to repeal all of an act entitled "An act to amend section 49 of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise,



and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885"; to repeal all of an act entitled "An act relating to elections, approved October 19, 1872"; to repeal sections 26, 27, and 28 of an act entitled "An act relating to elections, and the mode in filling vacancies in office, approved October 29, 1870"; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889," the same being identical with titles I and II of chapter XIV, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act, shall be and the same is hereby amended so as to read as follows:

Sec. 3. It shall be the duty of each county court in the several counties of this state on the first Saturday in May preceding each general election, to appoint in each election precinct three judges of election and two clerks of election possessing the qualifications of electors. No two of said judges in one precinct shall be of the same political party if there shall be known members of three political parties in the precinct who do not refuse the position and who are qualified; nor shall the two clerks be of the same political party. The said judges and clerks so appointed shall hold their offices for two years. The county court shall designate one of three judges to be chairman. The county clerk shall make out and deliver to the sheriff of the county, immediately after the appointment of the said judges and clerks, a notice thereof in writing, directed to each judge and each clerk so appointed. The county central committee of each political party may recommend to the county court the names of members of its party for judges and clerks of election in the several precincts, and the county court must and shall appoint the men so recommended, unless the court shall believe any such to be either incompetent or not of good character, but in every case of refusal to appoint a man so recommended the court in each case shall cause said reasons to be entered on the records of the court as other judgments are entered. The judges and clerks shall be appointed from the parties which shall have cast the largest number of votes in that county for justice of the supreme court at the last preceding general election.

Senator King moved the adoption of the minority report.

Senator Alley moved to lay the minority report on the table, and the clerk be directed to have the same printed.

Senators King and Vanderburg called for the ayes and nays to lay the minority report on the table.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Dawson, Gesner, Hobson, Johnson, Maxwell, McClung, McGinn, Price, Steiwer, and Mr. President—11.

Nays—Senators Beckley, Brownell, Butler, Gowan, Holt, Huston, King, McAlister, Raley, Smith of Sherman, Vanderburg, and Woodard—12.

Absent—Senators Bancroft, Calbreath, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—7.

So the senate refused to lay the report on the table.

Senator King renewed his motion to adopt the minority report.

Senator Gesner moved to indefinitely postpone further consideration of senate bill No. 91 and the majority and minority reports of the committee.

Senators Huston and Raley demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Gesner, Maxwell, McGinn, and Mr. President—4.

Nays—Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Holt, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, and Woodard—19.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Hobson, Patterson, and Smith of Clatsop—7.

So the senate refused to indefinitely postpone.

Senators King and Vanderburg demanded the ayes and nays on the adoption of the minority report.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Gesner, Holt, Johnson, King, McAlister, Price, Raley, Smith of Sherman, Vanderburg, and Woodard—14.

Nays—Senators Calbreath, Dawson, Gowan, Maxwell, McClung, McGinn, Steiwer, and Mr. President—8.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Hobson, Huston, Patterson, and Smith of Clatsop—8.

So the minority report was adopted.

Substitute senate bill No. 224 was declared as having been read first time and was now on second reading.

Senator King moved that the rules be suspended and that senate bill No. 224 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Butler, Holt, Huston, King, McAlister, Price, Raley, Smith of Sherman, Vanderburg, and Woodard—11.

Nays—Senators Alley, Calbreath, Dawson, Gesner, Gowan,

Hobson, Johnson, Maxwell, McClung, McGinn, Steiwer, and Mr. President—12.

Absent—Senators Bancroft, Beckley, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—7.

So the senate refused to suspend the rules.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 87.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 249.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bill No. 87 and house bill No. 249, and soon thereafter declared that he had signed the same.

Senator King moved that the rules be suspended and that senate bill No. 85 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Bancroft, Carter, Cogswell, Denny, Huston, Patterson, and Smith of Clatsop—8.

So the rules were suspended and senate bill No. 85 was read second time by title only.

Senate bill No. 85 was referred to the committee on municipal corporations.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 105, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend the title of said bill by inserting after the words "Lair Hill," the following: "relating to appeals in criminal actions in justice's courts."

AMENDMENT.

Strike out all of lines four and five of the printed bill, and insert in lieu thereof the following: "Sec. 2160. An appeal may be taken to the circuit court within thirty days from the date of the entry of judgment by the defendant by giving and filing with the justice of the peace the same undertaking for costs on appeal as required by section 2120 of Hill's annotated laws of Oregon."

O. N. DENNY,  
Chairman.

On motion of Senator Brownell, the amendments were adopted.

On motion of Senator Brownell, senate bill No. 105 was ordered engrossed and to third reading tomorrow.

Senator Steiwer, chairman of the special committee to whom was referred senate bill No. 220, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 220, beg leave to report that we have had the same under consid-

eration, and respectfully report it back to the senate with the recommendation that it do pass.

W. W. STEIWER,  
Chairman.

Senator Steiwer moved that the rules be suspended and that senate bill No. 220 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Patterson, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 220 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Carter, Cogswell, Denny, Huston, Patterson, and Smith of Clatsop—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator McGinn, the senate, at 5:10 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

SATURDAY, FEBRUARY 9, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the members were present, except Senators Bancroft, Cogswell, Denny, Patterson, and Smith of Clatsop, who were absent on leave.

The morning session of the senate was opened with prayer by Rev. Mr. Denton.

On motion of Senator McGinn, the reading of the journal of yesterday's proceedings was dispensed with.

The following communication was received from Mr. John M. Bloss, president of the state agricultural college:—

#### COMMUNICATION.

STATE AGRICULTURAL COLLEGE, }  
CORVALLIS, Oregon, }  
February 6, 1895. }

*Mr. President and Members of the Senate, Salem, Oregon:*

GENTLEMEN: You are hereby most cordially invited to visit the state agricultural college at Corvallis during the session of the legislature, either in a body or as individuals. We hope that both the senate and the house may arrange to come together. We desire that you shall see the students at work, and in case you can only come on Saturday, if we are notified in time, the school will be kept open for that purpose. In case the senate cannot come as a body, we hope that as large a delegation as possible may come.

Yours very truly,

JOHN M. BLOSS,  
President.

On motion of Senator Carter, the invitation was accepted.

Senator Gowan, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 6, 1895. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 70, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:—

#### AMENDMENT.

In section 6, line seven, after the word "county," strike out the words "town or city."

**AMENDMENT.**

In section 11, line two, after the word "be," strike out the words "a brigadier-general and the."

**AMENDMENT.**

In section 11, line three, after the word "commissary-general," insert the words "one paymaster-general, one chief of ordnance, and."

**AMENDMENT.**

In section 12, line one, after the word "adjutant-general," strike out the word "of."

**AMENDMENT.**

In section 12, line two, strike out the words "the grade of colonel."

**AMENDMENT.**

In section 13, line two, strike out the words "of the grade of lieutenant-colonel."

**AMENDMENT.**

In section 14, line two, after the word "be," insert the words "in good repute and licensed to practice or."

**AMENDMENT.**

In section 14, line three, strike out after the word "be" the balance of the line, and insert the words "attorneys of the supreme court and."

**AMENDMENT.**

In section 14, line four, strike out the letters "yers."

**AMENDMENT.**

In section 20, line four, after the word "thirty," strike out the word "three."

**AMENDMENT.**

In section 22, line one, the word "brigadier" is incorrectly spelled.

**AMENDMENT.**

In section 22, line five, after the word "adjutant-general," insert the words "which shall be provided."



## AMENDMENT.

In section 22, line five, after the word "house," insert the words "where all military records shall be kept."

## AMENDMENT.

In section 22, line twenty-eight, after the word "legislature," insert the words "and the members of the board shall receive the mileage and per diem provided in section 28."

## AMENDMENT.

In section 22, line eighteen, strike out the letters "ies" in the word "properties," and insert the letter "y."

## AMENDMENT.

In section 22, line eighteen, strike out the letters "eys" in the word "moneys," and insert the letters "ies."

## AMENDMENT.

In section 25, line one, after the word "battery," insert the word "annually."

## AMENDMENT.

In section 25, line two, in the word "Upon," strike out the capital letter "U" and insert the small letter "u."

## AMENDMENT.

In section 26, line eight, after the word "appoint," insert the following: "In addition to these meetings, all commanding officers of regiments or separate battalions are authorized to assemble the officers of their commands for instructions once each year, and each officer shall receive when so ordered the mileage and per diem provided in section 28."

## AMENDMENT.

In section 27, line eleven, after the word "commander," insert the following: "and all officers while on such duty shall receive the mileage and per diem provided in section 28."

## AMENDMENT.

In section 28, line three, strike out the capital letter "N" in the word "None," and insert the small letter "n."

AMENDMENT.

In section 28, line five, after the word "dollars," strike out the "period" and insert the word "and."

AMENDMENT.

In section 28, line five, strike out the capital letter "I" in the word "In," and insert the small letter "i."

AMENDMENT.

In section 28, strike out all of line six after the word "day," and all of line seven.

AMENDMENT.

In section 28, line six, after the word "day," insert the following: "and in addition thereto all officers while on special or other duties of this act shall receive five cents per mile each way from their place of residence to their post of duty and return, or actual cost of transportation."

AMENDMENT.

In section 30, line three, strike out the words "provided for," and insert the word "mentioned."

AMENDMENT.

In section 31, line one, strike out the word "soldier," and insert the words "officer or enlisted man."

AMENDMENT.

In section 40, line two, strike out the word "one" after the word "thirty," and insert the word "nine."

AMENDMENT.

In section 42, line seven, strike out the word "attachments," and insert the words "bench warrants."

AMENDMENT.

In section 42, line eight, strike out the word "attachment," and insert the words "bench warrants."

## AMENDMENT.

In section 42, line nine, strike out the word "attachment," and insert the words "bench warrants."

## AMENDMENT.

In section 42, line nine, after the word "person," strike out the word "attached," and insert the word "arrested."

## AMENDMENT.

In section 42, line seventeen, strike out the word "people," and insert the word "state."

## AMENDMENT.

In section 44, line three, after the word "by," insert the word "the."

## AMENDMENT.

In section 45, line three, strike out "ment" and insert "ant" in the word "commandment."

## AMENDMENT.

In section 45, line three, strike out the word "the," after the words "hands of," and insert the letter "a."

## AMENDMENT.

In section 45, line three, strike out the letter "s" from the word "justices."

## AMENDMENT.

In section 45, line four, strike out the word "township," and insert the word "district."

## AMENDMENT.

In section 45, line five, strike out the word "separately" and insert the word "severally."

## AMENDMENT.

In section 45, line six, strike out the word "process" and insert the word "summons."

**AMENDMENT.**

In section 45, line six, after the word "any," add the words "sheriff or."

**AMENDMENT.**

In section 45, line seven, strike out the word "township" and insert the word "district."

**AMENDMENT.**

In section 45, line seven, after the word "same," insert the words "as by execution at law."

**AMENDMENT.**

In section 46, line four, after the word "troop," insert the words "by the district attorney of the proper district upon request of the commanding officer of the organization to which the defendant belongs."

**AMENDMENT.**

In section 47, line four, strike out the word "that" and insert the word "than."

**AMENDMENT.**

In section 47, line five, after the word "judgment," strike out the word "to" and insert the word "of."

**AMENDMENT.**

In section 50, line three, correct line number.

**AMENDMENT.**

In section 50, line three, add the letter "d" to the word "discharge."

**AMENDMENT.**

In section 56, line twenty-one, strike out the word "made" and insert the word "make."

**AMENDMENT.**

In section 57, line three, mobilizing is incorrectly spelled.

**AMENDMENT.**

In section 57, line three, after the word "mobilizing," insert the words "the Oregon national guard and."

## AMENDMENT.

In section 57, line three, after the word "the," insert the word "reserve."

## AMENDMENT.

In section 59, line four, strike out the word "state," and insert the words "Oregon national guard and reserve."

## AMENDMENT.

In section 60, line two, strike out the word "state" and insert the word "reserve."

## AMENDMENT.

In section 63, line two, after the words "when the," insert the words "Oregon national guard and reserve."

## AMENDMENT.

In section 67, line two, after the word "acceptance," strike out the letter "d" in "and."

## AMENDMENT.

In section 72, line seven, strike out the word "the" and insert the word "this."

## AMENDMENT.

In section 72, line seven, after the word "state," insert the words "or other states."

## AMENDMENT.

In section 77, line three, after the words "absorbed by the," insert the words "Oregon national guard and reserve."

## AMENDMENT.

In section 79, line one, strike out the letter "s" in the word "courts."

## AMENDMENT.

In section 79, line one, strike out the word "are" and insert the word "is."

## AMENDMENT.

In section 79, line two, strike out the word "they" and insert the word "it."

AMENDMENT.

In section 79, line two, at the end of the word "deem," add the letter "s."

AMENDMENT.

In section 79, line two, strike out the word "it."

AMENDMENT.

In section 79, line two, strike out the balance of the line after the word "erect."

AMENDMENT.

In section 79, line three, strike out the words "such county an."

AMENDMENT.

In section 79, line three, strike out the letter "y" in the word "armory" and insert the letters "ies."

AMENDMENT.

In section 79, line four, after the letters "talion," strike out all of said line and insert the words "in any county where one or more companies are."

AMENDMENT.

In section 79, line five, strike out the words "national guard."

AMENDMENT.

In section 79, line five, strike out the word "this" and insert the word "the."

AMENDMENT.

In section 79, line five, strike out the words "in such county" and insert the words "of Oregon, and until such armories be erected such county shall pay to any company of the Oregon national guard so organized in said county."

AMENDMENT.

In section 79, line six, strike out the word "such" and insert the word "each."

AMENDMENT.

In section 79, line seven, strike out the word "the."

## AMENDMENT.

In section 79, line seven, strike out the word "such" and insert the word "said."

## AMENDMENT.

In section 81, line four, after the letters "ting," insert the words "of the."

## AMENDMENT.

In section 83, line one, strike out the small letter "a" in the word "articles" and insert the capital letter "A."

## AMENDMENT.

In section 83, line one, strike out the small letter "w" in the word "war" and insert the capital letter "W."

## AMENDMENT.

In section 83, line one, strike out the small letter "a" in the word "army" and insert the capital letter "A."

## AMENDMENT.

Strike out all of section 89 and substitute the following: "Section 89. Whereas, it is important to the interests of the state that the more perfect organization and mobilization described by this act should become operative without delay, therefore, this act shall take effect from and after its approval by the governor."

A. W. GOWAN,  
Chairman.

On motion of Senator Gowan, the amendments were adopted.

On motion of Senator Gowan, senate bill No. 70 was ordered engrossed and to third reading tomorrow, and the clerk was directed to have the amendments printed.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate



**joint memorial No. 2, beg leave to report the same back to the senate as correctly enrolled.**

**J. F. CALBREATH,**  
**Chairman.**

**MESSAGE FROM THE HOUSE.**

**HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1895. }**

***Mr. President:***

**I am directed by the speaker to inform you that the house has passed senate bill No. 222.**

**And the same is herewith returned to you for enrollment.**

**R. E. MOODY,**  
**Chief clerk.**

**MESSAGE FROM THE HOUSE.**

**HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1895. }**

***Mr. President:***

**I am directed by the speaker to inform you that the house has passed house bill No. 64,—a bill for an act to amend section 3597 of the laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal section 3619 of the laws of Oregon, as compiled and annotated by William Lair Hill.**

**And the same is herewith transmitted to you for the consideration of the senate.**

**R. E. MOODY,**  
**Chief clerk.**

**On motion of Senator King senate bill No. 107 was taken from the table.**

**On motion of Senator King the amendments to senate bill No. 107 were adopted, and the bill ordered engrossed and to a third reading tomorrow.**

**House bill No. 149 coming on for second reading, was read second time.**

**House bill No. 149 was referred to the committee on judiciary.**

**On motion of Senator Huston the courtesies of the senate were extended to Hon. A. S. Watt, and he was invited to a seat within the bar.**

**House bill No. 7 coming on for second reading, was read second time.**

**House bill No. 7 was referred to the committee on mines and mining.**

House bill No. 233 coming on for second reading, was read second time.

House bill No. 233 was referred to the committee on education.

House bill No. 27 coming on for second reading, was read second time.

House bill No. 27 was referred to the committee on fishing industries.

Senator Johnson presented a cigarette petition praying for the enactment of a law prohibiting the manufacture and sale of cigarettes to youths.

The petition was referred to the committee on education.

House bill No. 86 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Alley, Bancroft, Beckley, Brownell, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—9.

So the rules were suspended and house bill No. 86 was read second time by title only.

House bill No. 86 was referred to the committee on judiciary.

House bill No. 99 coming on for second reading, was read second time.

House bill No. 99 was referred to the committee on judiciary.

House bill No. 192 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Butler, Carter, Cogswell, Denny, Patterson, and Smith of Clatsop—7.

So the rules were suspended and house bill No. 192 was read second time by title only.

House bill No. 192 was referred to the committee on judiciary.

House bill No. 131 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Price, Smith of Sherman, Steiwer, Vanderburg, Woodward, and Mr. President—20.

Nays—None.

Absent—Senators Bancroft, Calbreath, Carter, Cogswell, Denny, King, McGinn, Patterson, Raley, and Smith of Clatsop—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn moved that when the senate adjourn today that it adjourn until Monday the 11th instant at 11:55 a. m.

The motion prevailed.

Senators Beckley, Dawson, and Johnson asked and were granted leave of absence for the remainder of the week.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 9, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed senate bill No. 87.

W. S. DUNIWAY,  
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 318,—a bill for an act to amend section 2790 of the laws of Oregon, as compiled by W. Lair Hill, amending section 2 of the act filed in the office of the secretary of state February 20, 1893, relating to levying of taxes for state purposes and regulating interest upon the taxes unpaid to the state.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MONDAY, FEBRUARY 11, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

The senate was called to order at 11:55 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter, Dawson, and Johnson, who were absent on leave.

On motion of Senator Maxwell, the reading of the journal of the proceedings of yesterday was dispensed with.

Senator Denny asked for leave of absence from attendance upon afternoon session of the senate today.

Leave was granted.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 11, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Johnson, Dawson, Carter, and Cogswell.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Daly, Hillegas, Moorhead, Smith of Linn, Templeton, Cole, and Long.

The following named gentlemen were announced as paired on the vote for United States senator: Johnson with Dawson, Carter with Cogswell, Cooper with Daly, Cole with Long, Hillegas with Moorhead, and Smith of Linn with Templeton.

There being no objection, the reading of the journal of the proceedings of the joint convention of Saturday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Ore-

gon at the joint convention of Saturday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, David, Denny, Gesner, Gowan, Gowdy, Hobson, Maxwell, McCracken, McGinn, McGreer, Mintie, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrums, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—36.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Gates, Hofer, Keyt, Lester, Lyle, Pinearson, Scott, and Tigard—9.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Curtis, Davis, Guild, Gurdane, Hope, and Patterson of Grant—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, McClung, Wright, and Yates—6.

Total number of votes cast—78.

Absent and paired—12.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator McGinn, the senate adjournment.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

The senate was called to order at 2 o'clock p. m., pursuant to adjournment, by the president.

MONDAY, FEBRUARY 11, 1895.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

The senate was called to order at 11:55 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter, Dawson, and Johnson, who were absent on leave.

On motion of Senator Maxwell, the reading of the journal of the proceedings of yesterday was dispensed with.

Senator Denny asked for leave of absence from attendance upon afternoon session of the senate today.

Leave was granted.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of February 11, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Johnson, Dawson, Carter, and Cogswell.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Daly, Hillegas, Moorhead, Smith of Linn, Templeton, Cole, and Long.

The following named gentlemen were announced as paired on the vote for United States senator: Johnson with Dawson, Carter with Cogswell, Cooper with Daly, Cole with Long, Hillegas with Moorhead, and Smith of Linn with Templeton.

There being no objection, the reading of the journal of the proceedings of the joint convention of Saturday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Ore-

gon at the joint convention of Saturday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, David, Denny, Gesner, Gowan, Gowdy, Hobson, Maxwell, McCracken, McGinn, McGreer, Mintie, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—36.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Gates, Hofer, Keyt, Lester, Lyle, Rinearson, Scott, and Tigard—9.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Curtis, Davis, Guild, Gurdane, Hope, and Patterson of Grant—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, McClung, Wright, and Yates—6.

Total number of votes cast—78.

Absent and paired—12.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator McGinn, the senate adjournment.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

The senate was called to order at 2 o'clock p. m., pursuant to adjournment, by the president.



The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on leave.

The question of "Shall the minority report on senate bill No. 1 be adopted?" was heretofore made a special order of business at 2 o'clock p. m. today.

The senate proceeded to the consideration of the question of the adoption of the report.

During the consideration of the adoption of the report, on motion of Senator Calbreath, the courtesies of the senate were extended to Hon. J. W. Watts, and he was invited to a seat within the bar.

The question being, "Shall the minority report be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Huston, Johnson, King, Maxwell, McClung, Patterson, Smith of Sherman, and Smith of Clatsop—11.

Nays—Senators Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, McAlister, McGinn, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—17.

Absent—Senators Carter and Denny—2.

So the senate refused to adopt the minority report.

On motion of Senator McGinn, senate bill No. 1 was ordered engrossed and to third reading tomorrow.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 1, 107, and 153, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bill No. 222, beg leave to report the same back to senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Denny, chairman of the special committee to whom was referred senate bill No. 104, submitted the following majority report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 104, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 10, section 32, subdivision 1 of the printed bill, strike out all of line twelve after the words "public works," and also the remainder of said subdivision down to and including line twenty-two.

AMENDMENT.

On page 21, section 53, line six, after the words "water commission," insert the words "board of public works."

AMENDMENT.

On page 25, section 70, line two, strike out the word "board," and insert in lieu thereof the word "boards."

AMENDMENT.

On page 26, section 71, subdivision 4, line fifteen, after the words "by ordinance," strike out the words "may however," and insert in their stead the word "shall."

AMENDMENT.

On page 26, section 73, line one, after the word "hundred," insert the word "dollars."

## AMENDMENT.

On page 28, section 78, in line four, after the words "above enumerated," add the following: "and may vacate any street, avenue, or alley, or part thereof."

## AMENDMENT.

On page 30, section 81, line twenty-four, after the word "alley," insert the following: "exclusive of the intervening streets."

## AMENDMENT.

On page 33, after section 92, insert the following, to be numbered sections 93, 94, 95, and 96:

Section 93. Whenever any person or corporation interested therein shall desire the vacation of any lot, street, avenue, alley, or part thereof, within the city of Portland, the person or corporation so desiring said vacation shall give notice by advertisement thereof, for four consecutive weeks, in the official newspaper of said city, that at a regular meeting of the common council of the said city, to be held at the time stated in such notice of publication, a petition will be presented to the common council praying for the vacation of such lot, street, avenue, or alley, or portion thereof, particularly describing the same. The petition so to be presented to the common council shall set forth a description of the part of the lot, street, avenue, or alley, or part thereof, proposed or sought to be vacated, and the purpose for which the ground is proposed to be used, or the reason for such vacation, and there shall be appended to such petition, as a part thereof, and as the basis for such vacation, and as a basis for the granting of the prayer of such petition, the consent of the owners in fee simple of at least three fourths of the real estate fronting on both sides of said lot, street, avenue, or alley which, or part of which, is proposed to be vacated, estimated upon the frontage upon the lot, street, avenue, or alley, such frontage to commence at a line drawn across such street or alley equidistant from the termini from that portion of the lot, street, avenue, or alley proposed to be vacated, and extending along said lot, street, avenue, or alley from said line five hundred feet in each direction, unless such street, avenue, or alley shall not be continuous in either direction from said line five hundred feet; in which case the consent of the owners above provided for shall only be required for the distance that it is continuous. The common council shall, upon the presentation of said petition and the filing of proof of the due publication of the notice herein prescribed

with the auditor of said city, fix a time for hearing such petition and objections thereto, if any be filed thereto. At the time fixed by the common council for hearing such petition and the objections filed thereto, if any, the common council shall ascertain and determine whether the consent of the owners of the requisite number of front feet has been obtained as aforesaid, and such finding shall be made a matter of record and shall be conclusive of the facts so found in all collateral proceedings. If upon such hearing the common council shall find that the public interest would not be prejudiced by the vacation of such lot, street, avenue, or alley, or part thereof, applied for, and that the consent of the owners of the requisite number of front feet has been obtained, as hereinbefore provided, the common council may grant the prayer of the petition, in whole or in part, and may vacate the lot, street, avenue, or alley sought to be vacated by such petition and cause such vacation to be made a matter of record.

Section 94. If upon the hearing of the petition for the vacation of such lot, street, avenue, or alley, or part thereof, as in the preceding section provided for the common council shall determine that such lot, street, avenue, or alley should be vacated, and shall by ordinance vacate the same as therein provided for, such lot, street, avenue, or alley shall be attached to the lots or ground bordering on such street, avenue, or alley, and all right and title thereto shall vest in the person or the corporation owning the property on each side thereof in equal proportions.

Section 95. The consent of the owners of the requisite number of front feet hereinbefore required to be attached to the petition for the vacation of the said lot, street, avenue, or alley shall be given in writing and duly acknowledged before an officer authorized to take acknowledgements, and such consent shall be attached to the petition for such vacation, and such petition and consent shall be filed with the auditor of the city of Portland.

Section 96. The vacation of any lot, street, avenue, or alley by the common council shall only be made by ordinance duly adopted by the common council, and a certified copy of such ordinance shall be filed for record and duly recorded in the office of the recorder of conveyances of Multnomah county, and said county recorder shall record the same in the records of deeds for said county, and place an appropriate reference upon the margin of the plat or plats of said lot, street, avenue, or alley, or part thereof, vacated to indicate the book and page where such vacation shall be recorded.

#### AMENDMENT.

Number section 93 of the printed bill and sections following accordingly.

## AMENDMENT.

On page 36, section 100 of the printed bill, line ten, after the words "or excessive," insert the following: "or the materials proposed to be furnished, inferior."

## AMENDMENT.

On page 37, section 1, line thirty, after the words "same fund," insert the following: "and no contractor having failed to carry out his contract with the city at any time shall again be awarded a contract."

## AMENDMENT.

On page 51, section 139, line one, after the words "H. W. Corbett," insert the words "William M. Ladd."

## AMENDMENT.

In line five of said section strike out the word "hereby" and insert in lieu thereof the word "so."

## AMENDMENT.

On page 52, section 141, line two, after the word "commissioners," insert the following: "or the mayor and common council."

## AMENDMENT.

On page 52, section 143, line six, after the words "compensation of," strike out the figures "2,400" and insert in lieu thereof the following: "not to exceed three thousand dollars, to be fixed by the board of public works."

## AMENDMENT.

On page 62 strike out all of section 182 and insert in lieu thereof the following: "Section 182. The commissioners to be selected under this act shall receive no compensation for their services."

## AMENDMENT.

On page 65, subdivision 5, section 190, line eleven, after the words "shall not exceed," insert the word "three."

## AMENDMENT.

On page 71, section 213, line one, at the end of the line after the word "commissioners," insert the words "or mayor."

AMENDMENT.

On page 72, section 219, line one, strike out the word "mayor" and insert the words "city attorney" after the word "judge" at the end of said line.

AMENDMENT.

On page 51, section 139 of the printed bill, strike out the word "five," occurring in lines five and twelve, and insert in lieu thereof in each of said lines the word "six."

AMENDMENT.

On page 75 of the printed bill, after section 229, insert the following section: "Section 230. The board of public works shall require the owners of property along any street where permanent paving or asphalt improvement is to be made, to make all connections with sewer, gas, water, and other pipes, drains, and conduits that may ever be necessary to be used for buildings and improvements upon said property before said improvement is completed. In case the owners fail or refuse to lay such pipes and sewers, the board of public works shall have the work done and the charges for same shall be a lien on said property and enforced in the same manner that other liens for street and sewer assessments are enforced under this act."

AMENDMENT.

Number sections following accordingly.

AMENDMENT.

Amend section 214, page 271 of the printed bill, by adding to said section the following: "And thereafter the several departments or branches of the city government, including the water department, fire department, police department, board of public works, and the bridge commission, having been assigned suitable quarters, the common council is, upon application, authorized to lease or rent any remaining offices or rooms in the building to the city board of education, the county of Multnomah, the port of Portland, the state of Oregon, or to the United States government, but to no others, for such rates of rental as may be agreed upon, not materially less than similar rooms and accommodations may at the time be renting for in the city of Portland."

O. N. DENNY,  
Chairman.

On motion of Senator McGinn, the amendments were adopted.

Senator Bancroft, one of the members of the special committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 104, submitted the following minority report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

A minority of your committee, consisting of the senators from Multnomah county, to whom was referred senate bill No. 104, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the attached amendments in addition to those recommended by the majority of the same committee:

AMENDMENT.

Amend section 232, page 75 of printed bill, by adding after the word "governor," in line three of said section, the following, to wit: "*provided*, that all provisions of this act providing for and fixing salaries and compensation to be paid the officers or employes of said city of Portland shall not apply to the incumbents in office at the time of the passage of this act, but shall take effect and be in force from and after the first Monday in July, A. D. 1896, and not otherwise."

AMENDMENT.

Amend section 230, page 75 of printed bill, by striking out the words "except as herein otherwise provided," in lines four and five of said section after the word "qualified."

AMENDMENT.

Amend section 139, page 51 of printed bill, by striking out all of said section 139, and inserting in lieu thereof the following, to wit: "Section 139. The mayor of the city of Portland shall, within thirty days after the passage of this act, appoint the board of public works, consisting of five members, each of whom shall have the qualifications provided in this act, and shall hold office during the pleasure of the mayor, and until their successors are appointed and qualified."

F. A. BANCROFT.

Senator Bancroft moved the adoption of the amendments.

Pending the question, Senator McGinn moved a call of the house.

The roll was called, and those present were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Absent—Senators Calbreath, Carter, and Denny—3.

Senator Calbreath having returned to the senate chamber, on motion of Senator Cogswell, further proceedings under the call of the house was dispensed with.

The question being, "Shall the minority report be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Huston, King, Maxwell, Smith of Sherman, and Smith of Clatsop—8.

Nays—Senators Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—18.

Absent—Senators Carter, Cogswell, Denny, and McAlister—4.

So the senate refused to adopt the minority report.

On motion of Senator McGinn, senate bill No. 104 was ordered engrossed and to third reading tomorrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 9, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 143,—a bill for an act pertaining to Portland bridge commission.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has



passed house bill No. 206,—a bill for an act to provide for the recovery of a reasonable attorney's fee in action for wages.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 2,—a bill for an act to amend an act entitled "An act to create a state board of horticulture, and appropriate money therefor," approved February 25, 1889; an act amendatory thereof entitled "An act to amend an act entitled 'An act to create a state board of horticulture, and appropriate money therefor,' approved February 25, 1889, approved February 21, 1891, and to protect the horticultural industry in Oregon."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 347,—a bill for an act to change the name of Peter Waldo, a colored person.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 132,—a bill for an act to define the use and care of district schoolhouses.

MONDAY, FEBRUARY 11, 1895.

407.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 325,—a bill for an act to amend section 2 of an act entitled “An act to incorporate the city of Portland and to provide a charter therefor, and to repeal an act entitled an act to incorporate the city of Portland, filed in the office of the secretary of state February 19, 1891,” filed in the office of the secretary of state February 23, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 242,—a bill for an act to amend article III of section 2590, found on page 1215 of Hill’s annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

resolution No. 11, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Gesner, chairman of the committee on public buildings, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 156, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line eleven, section 1 of the printed bill, insert after the word "arrangement," "not to exceed two stories in height above basement, and all stairways shall be at least six feet in width."

AMENDMENT.

In line thirty-six, section 1, strike out "one hundred and forty thousand (\$140,000) dollars," and insert "ninety thousand (\$90,000) dollars."

AMENDMENT.

Change the numbers of sections 2, 3, and 4, to 3, 4, and 5, respectively.

AMENDMENT.

Insert as section 2 the following: "Section 2. Said board of building commissioners may, at their discretion, provide for and detail as many of the convicts in the Oregon state penitentiary as may be deemed convenient and proper for the manufacture of brick upon the grounds to be used in the construction of the said branch asylum, and to perform such other labor as may be found convenient and economical."

AMENDMENT.

In line three, section 3 (new number), strike out "one hundred and forty thousand (\$140,000) dollars," and insert "ninety thousand (\$90,000) dollars."

AMENDMENT.

In line eight, same section, strike out "one hundred and forty thousand (\$140,000) dollars," and insert "ninety thousand (\$90,000) dollars."

ALONZO GESNER,  
Chairman.

On motion of Senator Raley, senate bill No. 156 and the amendments reported were laid on the table.

Senate bill No. 225. Senator Woodard, by request. (By unanimous consent.) A bill for an act to amend sections 3, 4, 7, 8, 23, 25, 38, 54, 56, 58, 68, and 70, and to repeal section 64 of an act entitled "An act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing ballots by public officers at public expense, to prevent frauds and punish crimes affecting the right of suffrage"; to repeal all of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885"; to repeal all of an act entitled "An act to amend sections 4, 10, 14, 15, and 24 of an act entitled 'An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885,' approved November 25, 1885"; to repeal all of an act entitled "An act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885"; to repeal all of an act entitled "An act relative to elections, approved October 19, 1872"; to repeal sections 26, 27, and 28 of an act entitled "An act relating to elections, and the manner of filling vacancies in office, approved October 29, 1870"; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889," the same being identical with titles I and II of chapter XIV, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in

conflict with this act, approved February 13, 1891, and to appropriate money to carry out the provisions of this act.

Senator Woodard moved that the rules be suspended and that senate bill No. 225 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and McAlister—2.

So the rules were suspended and senate bill No. 225 was read first time by title only and passed to second reading.

Senate bill No. 226. Senator Woodard, by request. (By unanimous consent.) A bill for an act to amend sections 49 and 59 of an act entitled an act fixing the time for holding elections, regulating the manner of conducting state, district, county, and precinct elections, prescribing the manner of making nominations of candidates, providing for printing and distributing ballots by public officers at public expense; to prevent frauds and punish crimes affecting the right of suffrage; to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the election franchise, and repealing title I of chapter XIV of the miscellaneous law of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, 15, and 24 of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon," approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled "An act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title I of chapter XIV of the miscellaneous laws of Oregon," approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled "An act relating to elections," approved October 19, 1873; to repeal section 26, 27, and 28 of an act entitled "An act relating to elections and the mode of filling vacancies in office," approved October 29, 1870; to repeal all of an act entitled "An act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot

paper," approved February 20, 1889, the same being identical with title I and II of chapter XIV, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act, approved February 13, 1891.

Senator Woodward moved that the rules be suspended and that senate bill No. 226 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Huston, and McGinn—4.

So the rules were suspended and senate bill No. 226 was read first time by title only and passed to second reading.

On motion of Senator Huston, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

TUESDAY, FEBRUARY 12, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on account of illness.

The morning session of the senate was opened with prayer by Rev. W. C. Kantner.

On motion of Senator Gesner, the reading of the journal of yesterday's proceedings was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 104, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Gesner, chairman of the committee on public buildings, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 172, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

ALONZO GESNER,  
Chairman.

On motion of Senator Gesner, senate bill No. 172 was ordered engrossed and to third reading tomorrow.

Senator Dawson moved that the rules be suspended and that senate bill No. 185 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Cogswell, Dawson, Denny, and Huston—4.

So the rules were suspended and senate bill No. 185 was read second time by title only.

Senator Dawson moved that the rules be further suspended and that senate bill No. 185 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—26.

Nays—None.

Absent—Senators Butler, Carter, Denny, and Gesner—4.

So the rules were suspended and senate bill No. 185 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 360,—a bill for an act to authorize the city of Portland, in the county of Multnomah, state of Oregon, to acquire by purchase or by appropriation or condemnation, under the eminent domain laws of the state of Oregon, the Morrison-street bridge, together with all the franchises and property connected therewith, situated over and across the Willamette river at Portland, Multnomah county, Oregon, and to acquire, by purchase or by condemnation, as aforesaid, the Stark-street ferry, across the Willamette river at Portland, aforesaid, together with the approaches to such ferry, ferry-slips, and all rights and franchises pertaining thereto, including all boats and other property used, owned, or operated in connection with the said ferry, or belonging thereto, and to issue bonds in payment thereof, and to authorize the city of Portland to lease the upper deck of the



steel bridge constructed across the Willamette river by the Oregon Railway and Navigation Company at Portland, aforesaid, and to provide by taxation for paying the rental of the same and interest on said bonds and to appoint a commission to carry into effect the provisions of the act, and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint memorial No. 2.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 348,—a bill for an act to amend section 2 of article I of an act entitled “An act to incorporate the city of Ashland, in Jackson county, Oregon, and to define the powers thereof,” filed in the office of the secretary of state February 21, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 358,—a bill for an act to incorporate the city of Harrisburg, and to repeal an act entitled “An act to

amend an act entitled an act to incorporate the city of Harrisburg," approved October 28, 1874.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 359,—a bill for an act to authorize the charging and collecting of tolls and ferriage upon the bridges and ferries of the city of Portland, in the county of Multnomah, state of Oregon, and to submit the question whether or not tolls and ferriage shall be charged upon such bridges and ferries to a vote of the taxpayers of said city.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 131.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bill No. 131 and senate joint resolution No. 4 of the seventeenth regular session, and soon thereafter declared that he had signed the same.

Senate bill No. 227. Senator Brownell. (By unanimous consent.) A bill for an act to regulate the payment of wages.

Senate bill No. 227 was read first time and passed to second reading without question.

Senator McGinn moved that the rules be suspended and senate bill No. 104 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—20.

Nays—Senators Beckley, Holt, McAlister, and Vanderburg—4.

Absent—Senators Carter, Denny, Huston, King, Smith of Sherman, and Smith of Clatsop—6.

So the rules were suspended and senate bill No. 104 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—20.

Nays—Senators Beckley, Holt, McAlister, and Vanderburg—4.

Absent—Senators Carter, Denny, Huston, King, Smith of Sherman, and Smith of Clatsop—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 228. Senator Butler. (By unanimous consent.) A bill to create the office of recorder of conveyances in the county of Polk, and to define the duties thereof, and to provide for the making and transfer of certain records from the office of the county clerk to the office of the recorder of conveyances.

Senator Butler moved that the rules be suspended and that senate bill No. 228 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Hobson—3.

So the rules were suspended and senate bill No. 228 was read first time by title only and passed to second reading.

Senator Butler moved that the rules be further suspended and that senate bill No. 228 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and McClung—3.

So the rules were suspended and senate bill No. 228 was read second time by title only.

Senator Butler moved that the rules be further suspended and that senate bill No. 228 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Gesner, and McClung—4.

So the rules were suspended and senate bill No. 228 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Huston—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Raley, senate bill No. 156 and the amendments reported thereto were taken from the table.

Senator Gesner moved the adoption of the amendments.

The motion was lost.

Senator Raley moved that the rules be suspended and that

senate bill No. 156 be considered engrossed, read third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senators Holt and Johnson—2.

Absent—Senators Carter, Denny, Gesner, and Huston—4.

So the rules were suspended and senate bill No. 156 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senators Holt and Johnson—2.

Absent—Senators Carter, Denny, Gesner, and Huston—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 79 having been heretofore made a special order of business for this hour was now considered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McClung, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Dawson, Denny, Johnson, McAlister, Raley, and Smith of Clatsop—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson moved that the rules be suspended and that senate bill No. 187 be now taken out of its regular order and read second time.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Woodard, and Mr. President—21.

Nays—Senator King—1.

Absent—Senators Calbreath, Carter, Cogswell, Denny, Huston, Raley, Smith of Sherman, and Vanderburg—8.

So the rules were suspended and senate bill No. 187 was read second time by title only.

Senate bill No. 187 was referred to the committee on revision of laws, with leave to report at any time.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 1, beg leave to report the same back to the senate as correctly engrossed.

HENRY E. MCGINN,  
Chairman.

Senator McGinn moved that the rules be suspended and that senate bill No. 1 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Cogswell, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—Senators Huston and Smith of Sherman—2.

Present and not voting—Senators Bancroft, Beckley, Hobson, and Patterson—4.

Absent—Senators Calbreath, Carter, Dawson, and Denny—4.

So the rules were suspended and senate bill No. 1 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Cogswell, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn,

Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—Senators Huston and Smith of Sherman—2.

Absent—Senators Bancroft, Beckley, Calbreath, Carter, Dawson, Denny, Hobson, and Patterson—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 227,—a bill for an act to create the county of Calapooia, and to fix the salaries of the county judge, clerk, sheriff, school superintendent, and treasurer thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Dawson, further consideration of house bill No. 227 was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 283,—a bill for an act to amend an act to incorporate the city of Forest Grove.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 18, 176, and 350.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 222.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 18, 176, and 350, and senate bill No. 222, and soon thereafter declared that he had signed the same.

Senator Bancroft moved that the rules be suspended and that house bill No. 360 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Dawson, Denny, Huston, Patterson, Vanderburg, and Woodard—7.

So the rules were suspended and house bill No. 360 was read first time by title only and passed to second reading.

Senator Bancroft moved that the rules be further suspended and that house bill No. 360 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Gesner, Gowan, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Huston, Johnson, Raley, and Vanderburg—10.

So the rules were suspended and house bill No. 360 was read second time by title only.



On motion of Senator Bancroft, house bill No. 360 was referred to a special committee, consisting of the senators from Multnomah county.

Senator Bancroft moved that the rules be suspended and that house bill 359 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McClung, McGinn, Patterson, Price, Smith of Clatsop, Woodard, and Mr. President.—20.

Nays—None.

Absent—Senators Calbreath, Carter, Dawson, Denny, Maxwell, McAlister, Raley, Smith of Sherman, Steiwer, and Vanderburg—10.

So the rules were suspended and house bill No. 359 was read first time by title only and passed to second reading.

Senator Bancroft moved that the rules be further suspended and that house bill No. 359 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Butler, Calbreath, Carter, Dawson, Denny, Gesner, McAlister, Raley, and Smith of Sherman—9.

So the rules were suspended and house bill No. 359 was read second time by title only.

On motion of Senator Bancroft, house bill No. 359 was referred to a special committee, consisting of the senators from Multnomah county.

Unanimous consent be given, Senator McClung introduced senate joint memorial No. 6.

#### SENATE JOINT MEMORIAL NO. 6.

Whereas the Indians belonging to the several reservations in this state have been permitted and allowed, by the respective agents in charge thereof, to leave the reservation at certain seasons of the year for the purpose of hunting; and whereas said Indians on said hunting excursions are accustomed to slaughter and wontonly destroy large numbers of deer and other wild game, in violation of the game laws of this state, and which if

continued will ultimately result in the complete annihilation of such game; therefore, be it

*Resolved by the Senate, the House concurring,* That our senators and representatives in congress be requested to urge upon the Indian department the promulgation of such rules and instructions as will prevent such practices by said Indians; and be it further

*Resolved,* That a copy of this resolution be forwarded to our senators and representatives by the secretary of state.

Senator McClung moved the adoption of the memorial.

Senator Cogswell moved to refer the memorial to the committee on federal relations.

The motion for reference was lost.

The vote then recurred upon the motion to adopt.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Steiwer, and Vanderburg—19.

Nays—Senators Cogswell, Gesner, McGinn, Price, Smith of Sherman, Smith of Clatsop, and Mr. President—7.

Absent—Senators Carter, Denny, Huston, and Woodard—4.

So senate joint memorial No. 6 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 117,—a bill for an act to define medical institutions and colleges in good standing.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 31,—a bill for an act to create liens on crops.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

The following communication was received from the Honorable the Secretary of State:—

COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 11, 1895. }

*To the Honorable the President of the Senate—*

SIR: I have the honor herewith to transmit for consideration of the senate, a communication from the president of the Salem Water Company with reference to supplying water for the state capitol, and a communication from the same company with reference to supplying water for the asylum.

I have the honor to be, very respectfully, your obedient servant,  
H. R. KINCAID,  
Secretary of State.

COMMUNICATION.

SALEM, Oregon, January 30, 1895.

*Hon. H. R. Kincaid, Secretary of State—*

DEAR SIR: In accordance with your request of yesterday in our interview, I herewith send you our proposition: We will furnish you water for the state house for all purposes as at present used, in accordance with the old contract that Hon. G. W. McBride claims was made with my brother before his decease, at forty dollars per month. This includes all water closets, basins, fire protection, heating engine, and engine of the printing office, and everything as now furnished, including the elevator, with the understanding, however, that the present elevator shall be replaced by another one subject to the approval of the water company, such as the Otis or Crane. The present elevator we do not care to run at any price. Or we will furnish water through a meter for the same as we have been furnishing it for the past year. The water furnished the present elevator comes from an independent pipe and can be continued or discontinued as agreed upon between us. The irrigation about the state house we think should be done through a meter, as it is as economical as any way and enables your men to irrigate at any time during the day and not be confined to irrigation hours. The whole matter of the service of the state house we think can be easily adjusted between us.

The most important part of our conversation yesterday was in regard to supplying the penitentiary and asylum. The proposition for this, however, I will put in a separate letter.

Respectfully yours,

SALEM WATER COMPANY,  
Per J. M. WALLACE, President.

COMMUNICATION.

SALEM, Oregon, January 30, 1895.

*Hon. H. R. Kincaid, Secretary of State:*

DEAR SIR: I wish to make the following proposition: We will supply the asylum and penitentiary, through meters, at the rate of ten cents per one thousand gallons. This is the lowest rate we know for any such service furnished on the coast, or, in fact, almost any where in the country.

We have a ten-inch main running in Center street to Fourteenth street, near the end of Asylum avenue. We will attach an eight-inch main to the end of this ten-inch main at Fourteenth street, and run it out to the asylum about five thousand two hundred feet. We will there connect it with the six-inch main that the state has between the asylum and penitentiary. We will also continue the six-inch main on State street to the penitentiary, and there connect with the six-inch main between there and the asylum. This will give a complete circuit. We will put in two three-inch meters at the asylum, and two at the penitentiary, charging you precisely for what water you use at the above rate,—ten cents per one thousand gallons. This work can be done in ninety days from the time the contract is made.

The contract between the ditch company and the penitentiary gives you the right to pump the water you can through a two-inch pipe from the ditch to the penitentiary. You have your well at the asylum. The amount of water we would give you through the meters would supplement only these sources of supply, and we to be paid for what we furnish.

In order that you may understand the relation between the ditch company and the state, I herewith annex a copy of a contract made some years ago, which you will find filed in your office. Hoping this will receive your careful consideration, I am,

Respectfully yours,

SALEM WATER COMPANY,  
Per J. M. WALLACE, President.

Blocks eighteen and thirty-six, Salem, Oregon.

Willamette Woolen Manufacturing Company, by Daniel Waldo, president (seal), grantors, to state of Oregon, grantees.

No. —; character of instrument, right of way; book, VII of deeds, page 549; consideration, \$1.00, and other valuable consideration; date of instrument, March 7, 1865; date of acknowledgment, March 31, 1865; date of record, May 6, 1865; are signatures sealed? yes; two witnesses; acknowledged before a notary public (seal); description and remarks.

Has transferred and set over, and by these presents doth assign, transfer, and set over to the state of Oregon, and to its assigns, all the right, title, and interest of the said company in and to the water power on Mill creek, where said creek passes through the land of M. L. Savage in the county of Marion, state of Oregon, together with the right which said company has under by virtue of its charter, to bring water through the land of Fredrick Yankee in said county, adjacent to the land of said Savage, so that the said water may be used to the best advantage at such point on or near Mill creek on the land of said Savage, as the said state of Oregon, or its assigns, may select to use the same as a water power. It is expressly understood, however, that in case the said water is brought across the land of said Yankee, it shall be confined to a race or narrow channel, so as to prevent all unnecessary waste of water and that said state or its assigns shall pay all damage which it may cause in bringing in said water. It is further expressly understood that the right hereby conveyed, does not include the right to use said water for the purposes of irrigation or in any other way, or for any other purpose than running machinery and for mechanical purposes, except that said state may use for such other purposes as it may choose such an amount of water as it can pump through a pipe not exceeding two inches in diameter. All other water which said state may use, by virtue of this conveyance, to be returned to Mill creek on the land of said Savage, without unnecessary waste. It is expressly understood that said company has reserved and hereby doth reserve the right to take from the flume or penstock which said state or its assigns may construct, for the purpose of using said water power, any amount of water it may choose to take, not exceeding what can be conveyed through a pipe six (6) inches in diameter, and for the purpose of taking such water from said flume or penstock, the said company is to have the right of way across any land which said state may purchase from said Savage, for laying a pipe and maintaining the same for conveying said water. This instrument is not to be so construed as to restrict the said state of Oregon in any right to the use of said water, which said state may have or acquire by virtue of ownership of the land along Mill creek.

*Memorandum:* The right of way referred to in this contract, for laying a six (6) inch pipe through the penitentiary lands,

purchased of Savage, was reserved by the Woolen Mill Company for the purpose of furnishing the city of Salem with water for domestic use and their deeds to the different powers, viz.: The woolen-mill power, the Salem flouring-mill power, and the Salem water company power, give these powers the right to take their proportional interest in this water, if conveyed through the pipes to Salem. This right, however, has never been used, and, consequently, is a dead letter.

J. M. WALLACE.

There being no objections the communications were referred to the committee on public buildings.

Senator Holt moved that the rules be suspended and that senate bill No. 224 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senator McGinn—1.

Absent—Senators Carter, Dawson, Denny, Gesner, and Patterson—5.

So the rules were suspended and senate bill No. 224 was read second time by title only.

Senator Holt moved that the rules be further suspended and that senate bill No. 224 be read third time now and placed on final passage.

Senator Bancroft moved that senate bill No. 224 be referred to the committee on privileges and elections.

On this question Senators Holt and King demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Dawson, Gesner, Maxwell, McClung, McGinn, Patterson, Steiwer, Woodard, and Mr. President—12.

Nays—Senators Beckley, Brownell, Butler, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, Price, Raley, Smith of Clatsop, Smith of Sherman, and Vanderburg—16.

Absent—Senators Carter and Denny—2.

So the senate refused to refer.

On motion of Senator Cogswell, senate bill No. 224 was made the special order for tomorrow morning at 10 o'clock.

The hour having arrived for the meeting of the senate and

house of representatives in joint convention, for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 12, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter, Denny, and Huston.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Smith of Linn, and Templeton.

The following named gentlemen were announced as paired on the vote for United States senator: Carter with Cooper, Denny with Huston, and Smith of Linn with Templeton.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrump, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—39.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Gates, Hofer, Johnson, Keyt, Lester, Lyle, Rinearson, Scott, and Tigard—11.



Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Curtis, Davis, Guild, Gurdane, Hope, and Patterson of Grant—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, Hillegas, McClung, Wright, and Yates—7.

Total number of votes cast—84.

Absent and paired—6.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

### IN THE SENATE.

The senate was called to order at 12:15 o'clock p. m., by the president.

On motion of Senator Johnson, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on account of illness.

Senator Gesner moved that the rules be suspended and that senate bill No. 172 be read third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Cogswell, Denny, and McClung—4.

So the rules were suspended and senate bill No. 172 was read third time and placed on final passage.



On motion of Senator Bancroft, senate bill No. 172 was laid on the table.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate joint memorial No. 6, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bill No. 172, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 229. Senator King. (By unanimous consent). A bill for an act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes, and for other and similar purposes.

Senator King moved that the rules be suspended and that senate bill No. 229 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Denny, Huston, Smith of Sherman, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 229 was read first time by title only and passed to second reading.

On motion of Senator Smith of Clatsop, house bill No. 169 was taken from the table.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Denny, Gesner, Huston, and McClung—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the act.

Senator Denny moved the regular order of business, viz.: Reports of standing committees.

The motion prevailed.

Senator Alley, chairman of the committee on agriculture and forestry, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on agriculture and forestry, to whom was referred senate bill No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, senate bill No. 10 was ordered engrossed and to third reading tomorrow.

Senator Alley, chairman of the committee on agriculture and forestry, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on agriculture and forestry, to whom was referred senate bill No. 126, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, senate bill No. 126 was ordered engrossed and to third reading tomorrow.

Senator Alley, chairman of the committee on agriculture and forestry, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on agriculture and forestry, to whom was referred senate bill No. 43, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, senate bill No. 43 was ordered engrossed and to third reading tomorrow.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 30, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Woodard, senate bill No. 30 was ordered engrossed and to third reading tomorrow.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 82, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That section 3 of said bill be amended by striking out all of said section after the word "cause," in the fourth line of the printed bill, and insert the following: "One certified copy of the assessment roll thus completed to be filed in the office of the county clerk, and a certified copy of the recapitulation and totals of each column of the assessment roll, and the grand total under the seal of the county court shall be transmitted to the secretary of state, on or before the tenth day of December following."

C. H. WOODARD,  
Chairman.

On motion of Senator Woodard, the amendment was adopted.

On motion of Senator Woodard, senate bill No. 82 was ordered engrossed and to third reading tomorrow.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 17, beg leave to report that we have had

the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Senator King, senate bill No. 17 was ordered engrossed and to third reading tomorrow.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 16, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Dawson, further consideration of senate bill No. 16, was in definitely postponed.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 69, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

That the title be amended by inserting after the figure "1," in line four, the words "and to amend section 2."

## AMENDMENT.

That section 2 of said bill be amended as follows: Strike out all the words in line eleven of said section after the word "assembly."

## AMENDMENT.

Strike out all the words in lines twelve, thirteen, and fourteen and insert the following: also, the sum of ten thousand dollars for the current expenses of the Oregon national guard; "also, the sum of twelve thousand dollars for the support of the university of Oregon."

## AMENDMENT.

That the following section be added thereto:

Section 3. That section 2 of an act entitled an act to amend sections 1, 2, and 3 and to repeal section 4 of an act entitled an act to aid in the support of the university of Oregon, approved October 17, 1882, filed in the office of the secretary of state February 25, 1889, be amended so as to read as follows:

Sec. 2. That said sum of twelve thousand dollars shall be for the annual support and maintenance of the university of Oregon, and to keep the buildings, grounds, and other property thereof in repair and make needed improvements thereto, and that from and after the first day of July, 1895, a reasonable sum shall be required as tuition from all persons entering any of the departments of said institution.

C. H. WOODARD,  
Chairman.

Senator Gowan moved to refer the bill and amendments to the committee on military affairs.

Senators Vanderburg and Smith of Sherman called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Cogswell, Dawson, Gesner, Gowan, McClung, and Raley—9.

Nays—Senators Butler, Hobson, Holt, Huston, McAlister, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—13.

Absent—Senators Beckley, Calbreath, Carter, Denny, Johnson, King, Maxwell, and Smith of Clatsop—8.

So the senate refused to recommit the bill to the committee on military affairs.

Senator Woodard moved the adoption of the amendments to senate bill No. 69.

On motion of Senator Raley, the amendments were laid on the table.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 64, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Senator McGinn, further consideration of senate bill No. 64 was indefinitely postponed.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 36, beg leave to report that we have had the same under consideration and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Cogswell, further consideration of senate bill No. 36 was indefinitely postponed.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill

...

No. 174, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Bancroft, senate bill No. 174 was referred to the committee on revision of laws.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 171, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Huston, senate bill No. 171 was referred to the committee on revision of laws.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 155, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Gowan, senate bill No. 155 was referred to the committee on revision of laws.

Senator Hobson, chairman of the committee on claims, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 150, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

Senator Steiwer moved to refer senate bill No. 150 to the committee on revision of laws.

The motion was lost.

On motion of Senator Cogswell, senate bill No. 150 was ordered engrossed and to third reading tomorrow.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 99, beg leave to report that we have had the same under consideration, and find the facts to be as follows:

On July 11, 1890, Iva Templeton was driving over the Calipooia river in Linn county, Oregon, the bridge falling down, precipitating the wagon and occupant into the river about thirty-one feet below, breaking said Iva Templeton's leg, necessitating the amputation thereof, and otherwise injuring her. We further find that in 1887 the law allowing damages in such cases was repealed, and remained so until 1893, when it was reenacted. We also find said Iva Templeton began suit in 1891 for twenty-seven thousand and twenty-two dollars against Linn county, Oregon, and being unsuccessful carried it to the higher courts, which also decided adversely. We also find a petition signed by one thousand two hundred and fifty taxpayers of Linn county, Oregon, asking the state of Oregon to grant relief to said Iva Templeton.

Your committee are of the opinion that Iva Templeton is entitled to relief from Linn county, and that the state of Oregon is in no way bound to grant such relief, but she being debarred

from lack of statutory laws, would recommend that the bill do pass with the following amendment:

## AMENDMENT.

In section 1 line two of printed bill, strike out the word "twenty," and insert in lieu thereof the word "five."

W. H. HOBSON,  
Chairman.

On motion of Senator Hobson, the amendment was adopted.

On motion of Senator Dawson, senate bill No. 99 was ordered engrossed and to third reading tomorrow.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 89, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Raley, senate bill No. 89 was referred to the committee on revision of laws.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 46, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Maxwell, senate bill No. 46 was referred to the committee on revision of laws, with leave to report at any time.

Senator Alley, chairman of the committee on commerce and navigation, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on commerce and navigation, to whom was referred house joint memorial No. 2, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do adopt the memorial.

B. F. ALLEY,  
Chairman.

Senator Alley moved the adoption of house joint memorial No. 2.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Butler, Carter, Cogswell, and Denny—4.

So the senate adopted house joint memorial No. 2.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 159, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That section 1 shall read as follows: Sec. 1. That the county clerk and sheriff of Tillamook county shall receive an annual compensation of (\$1,600) one thousand six hundred dollars each. They shall each be allowed one deputy, who shall receive an annual salary of (\$600) six hundred dollars.

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, the amendment was adopted.

On motion of Senator Maxwell, senate bill No. 159 was ordered engrossed and to third reading tomorrow.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred house bill No. 136, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. W. MAXWELL,  
Chairman.

On motion of Senator Raley, house bill No. 136 was ordered to third reading tomorrow.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 147, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. W. MAXWELL,  
Chairman.

On motion of Senator Steiwer, senate bill No. 147 was ordered engrossed and to third reading tomorrow.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 160, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, senate bill No. 160 was ordered engrossed and to third reading tomorrow.

Senator McClung, chairman of the committee on education, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 233, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In the enacting clause, strike out the words "one mile" and insert after the word "within," the words "three fourths of a mile."

#### AMENDMENT.

In section 1, after the word "within," strike out the words "one mile," and insert the words "three fourths of a mile."

J. H. McCLUNG,  
Chairman.

On motion of Senator Bancroft, the amendments were adopted.

On motion of Senator McClung, house bill No. 233 was ordered to third reading tomorrow.

Senator McClung, chairman of the committee on education, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 144, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. McCLUNG,  
Chairman.

On motion of Senator Calbreath, senate bill No. 144 was ordered engrossed and to third reading tomorrow.

Senator McClung, chairman of the committee on education, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 97, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

J. H. McCLUNG,  
Chairman.

On motion of Senator Maxwell, senate bill No. 97 was referred to the committee on revision of laws, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 9,—a bill for an act to amend an act pro-

viding for the establishment of state normal schools in Oregon, approved October 26, 1882; also an act entitled "An act providing for the establishment of a state normal school," approved February 6, 1885.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 245,—a bill for an act to provide for the incorporation of associations, societies, and corporations for purposes other than pecuniary profit, and to provide for the government, management, and conduct of the business of such associations, societies, and corporations, and for the dissolution of such associations, societies, and corporations, and also for the government, management, conduct, and dissolution of other societies, associations, and corporations heretofore organized, and now existing under the laws of the state of Oregon relating to the incorporation of churches, religious, benevolent, literary, or charitable societies, and repealing sections 3295, 3296, 3297, 3298, 3299, 3300, and 3301, and all other acts and parts of acts relating to the incorporation of such associations, societies, and corporations for the purposes other than pecuniary profit (not religious, benevolent, or charitable), and providing for an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 45,—a bill for an act to amend sections 1, 2, 3, 7, 8, 10, and 11 of an act entitled an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon, passed by the legislative assembly of the state of Oregon on February 21, 1891, and to regulate the recovery of the several

penalties prescribed in said act, and providing for the punishment of persons violating the provisions of this act.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint resolution No. 4 of the seventeenth biennial session.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house concurrent resolutions Nos. 3, 11, 14, 16, 20, and 25.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house concurrent resolutions Nos. 3, 11, 14, 16, 20, and 25, and soon thereafter declared that he had signed the same.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 12, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bill: senate bill No. 222.

W. S. DUNIWAY,  
Private secretary.



Senate bill No. 230. Senator Vanderburg. (By unanimous consent.) A bill for an act to provide for the maintenance of higher education in the state of Oregon, and to regulate the management thereof and appropriate money therefor.

Senate bill No. 230 was read first time and passed to second reading without question.

On motion of Senator Cogswell, further consideration of senate bill No. 230 was indefinitely postponed.

Senator Patterson, chairman of the committee on fishing industries, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on fishing industries, to whom was referred senate bill No. 175, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, senate bill No. 175 was ordered engrossed and to third reading tomorrow.

Senator Patterson, chairman of the committee on fishing industries, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on fishing industries, to whom was referred house bill No. 27, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, house bill No. 27 was ordered to third reading tomorrow.

Senator Raley moved to adjourn.

Senator King amended the motion to adjourn until 7:30 o'clock p. m. today.

The motion to amend was lost.

The vote recurring upon Senator Raley's motion to adjourn, Senators King and Huston called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Maxwell, McAlister, McGinn, and Steiwer—4.

Nays—Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Holt, Huston, Johnson, King, Price, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—17.

Absent—Senators Carter, Dawson, Denny, Gowan, Hobson, McClung, Patterson, Raley, and Smith of Sherman—9.

So the senate refused to adjourn.

Senator Johnson, chairman of the committee on insurance and banking, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on insurance and banking, to whom was referred senate bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

A. J. JOHNSON,  
Chairman.

Senator Johnson moved that further consideration of senate bill No. 86 be indefinitely postponed.

The motion was lost.

On motion of Senator Price, senate bill No. 86 was ordered engrossed and to third reading tomorrow.

Senator Johnson, chairman of the committee on insurance and banking, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on insurance and banking, to whom was referred senate bill No. 19, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

A. J. JOHNSON,  
Chairman.

Senator Johnson offered the following amendments to senate bill No. 19:—

AMENDMENT.

In the printed bill, in lines seven and eight of section 9, insert "three thousand" in place of "two thousand."

AMENDMENT.

In section 12, after the word "business," where it first occurs in line two of printed bill, insert "with a capital of fifty thousand dollars or over."

AMENDMENT.

In section 13, line seven of printed bill, after the words "money or interest," insert "real or."

AMENDMENT.

In section 14 strike out all after the word "capital," in line four, printed bill, and insert instead "when ordered by its stockholders."

AMENDMENT.

In section 24, line four of printed bill, after the word "vote," insert "unless permitted so to do by a majority of the remaining stock."

AMENDMENT.

In section 26, line five of printed bill, strike out "five hundred (\$500) dollars," and insert instead "three hundred (\$300) dollars."

AMENDMENT.

In section 34, line two of printed bill, strike out the word "one," and insert in lieu thereof the word "three."

AMENDMENT.

In section 39, line four of printed bill, strike out the word "tenth," and insert in lieu thereof the word "fifth."

AMENDMENT.

In section 45, line two of printed bill, enclose in brackets the words "than National banks."

Senator Johnson moved the adoption of the amendments.

Senator Cogswell moved to refer senate bill No. 19 with amendments to the committee on insurance and banking.

The motion was lost.

The motion to adopt the amendments prevailed.

On motion of Senator Johnson, senate bill No. 19 was ordered engrossed and to third reading tomorrow.

Senator Johnson, chairman of the committee on insurance and banking, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on insurance and banking, to whom was referred senate bill No. 52, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

A. J. JOHNSON,  
Chairman.

On motion of Senator McClung, senate bill No. 52 was ordered engrossed and to third reading tomorrow.

Senator Johnson, chairman of the committee on insurance and banking, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on insurance and banking, to whom was referred senate bill No. 59, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

A. J. JOHNSON,  
Chairman.

On motion of Senator Johnson, senate bill No. 59 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 173, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Insert in said bill, after the title thereof, the enacting clause, as follows: "Be it enacted by the legislative assembly of the state of Oregon."

## AMENDMENT.

Amend section 1 of said bill by inserting in line one thereof, after the word "that," the following: "the governor is hereby authorized and empowered to enter into a contract with."

## AMENDMENT.

In section 1, line two, strike out after the word "assigns" the following: "are hereby authorized and empowered."

## AMENDMENT.

Amend section 3 by striking out the words "the sum of" in line two of said section, and inserting in their stead the words "not less than."

## AMENDMENT.

In section 3, line two, after the figures "30," insert the following: "nor more than forty (40)."

## AMENDMENT.

In section 3, line three, after the word "employed," insert the following: "as may be determined by the governor."

## AMENDMENT.

In section 4, line three, strike out the word "fifty," and insert the word "twenty."

## AMENDMENT.

In section 4, line three, strike out the figure "3" in parenthesis, and insert in lieu thereof the figure "2."

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendments were adopted.

On motion of Senator Cogswell, senate bill No. 173 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 93, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

After the word "deposit," in line nine of printed bill, insert the words "with the consent of the owner or lessee thereof."

O. N. DENNY,  
Chairman.

On motion of Senator King, the amendment was adopted.

On motion of Senator King, senate bill No. 93 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 116, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with

the recommendation that it do pass with the following amendments:

AMENDMENT.

In line four of section 1 strike out the word "second" and insert in lieu thereof the word "third."

AMENDMENT.

In line four of section 1 strike out the word "the," occurring before the word "regular," and insert instead the word "a."

AMENDMENT.

In line five of said section 1, after the word "ten," strike out the words "nor more than sixty."

AMENDMENT.

On page 2 of the printed bill, strike out all of section 3.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendments were adopted.

On motion of Senator Cogswell, senate bill No. 116 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 119, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line nine of the printed bill, strike out the word "when" and insert in lieu thereof the word "where."

AMENDMENT.

Strike out all of line nine of said section 1 after the word "pending," and the remainder of said section down to and including the word "person."

AMENDMENT.

Strike out all of section 2 of said bill.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendments were adopted.

On motion of Senator Cogswell, senate bill No. 119 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 130, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word "work," in line three, section 1 of the printed bill, insert the following: "or improvement upon real estate or on any street."

AMENDMENT.

After the word "corporation," in line four of section 1, strike out all of said line four and all of line five down to and including the word "and."

AMENDMENT.

Before the word "collectively," at the beginning of line eight in said section 1, insert the following: "as bail upon arrest."

O. N. DENNY,  
Chairman.

On motion of Senator Smith of Clatsop, the amendments were adopted.



On motion of Senator Smith of Clatsop, senate bill No. 130 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 131, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 1, line three of the printed bill, after the word "year," insert the following: "And is so confined at the date of the presentation of the petition hereinafter provided for."

AMENDMENT.

In section 1, line five, strike out the word "county," and insert in lieu thereof the word "circuit."

AMENDMENT.

In section 3, line one, strike out the words "judge of said court," and insert in lieu thereof the word "petitioner."

AMENDMENT.

On page 2, section 4, line two, strike out the words "county judge," and insert in lieu thereof the word "court."

AMENDMENT.

In section 5, line one, strike out the words "county judge," and insert in their stead the word "court."

AMENDMENT.

In section 5, line three, strike out the word "he," and insert in lieu thereof the word "it."

AMENDMENT.

In section 6, line three, strike out the word "judge," and insert in its stead the word "court."

AMENDMENT.

In section 7, line one, strike out the words "such county judge," and insert in their place the words "the court."

AMENDMENT.

Strike out all of sections 8, 9, and 10 and insert in lieu thereof the following: Section 8. An appeal may be taken from the order of such court to the supreme court of this state in like manner as appeals are now taken in suits in equity, and the proceedings under the provisions of this act shall be conducted in like manner as in equity, and the costs of such proceedings shall in all cases be brought under the provisions of this act be within the discretion of the court.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendments were adopted.  
On motion of Senator Cogswell, senate bill No. 131 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 154, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the enacting clause, insert the word "Section 1."

## AMENDMENT.

In line five of said bill, strike out the words "mechanical or manufacturing," and the word "and" occurring after the word "business."

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendments were adopted.

On motion of Senator Cogswell, senate bill No. 154 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 170, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

In section 1, line six of said bill, strike out the word "an," and insert in lieu thereof the word "his."

## AMENDMENT.

In section 1, line six of said bill, after the word "that," strike out the remainder of said bill and substitute therefor the following: "no case in his court remains undecided that has been submitted for decision for a period of ninety days, or that he was prevented by sickness from making such decision, or that further time therefor had been stipulated in writing by the parties to said cause.

O. N. DENNY,  
Chairman.

On motion of Senator McAlister, the amendments were adopted.

On motion of Senator McAlister, senate bill No. 170 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 2, filed in the office of the secretary of state January 31, 1893, adopted by the house January 11, 1893, and adopted by the senate January 30, 1893, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

Senator Cogswell moved the adoption of house joint resolution No. 2.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Vanderburg—3.

So the senate adopted house joint resolution No. 2.

On motion of Senator Smith of Sherman, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

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WEDNESDAY, FEBRUARY 13, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on account of illness.

The morning session of the senate was opened with prayer by Rev. Mr. Dillon, D. D.

On motion of Senator McGinn, the reading of the journal of yesterday's proceedings was dispensed with.

Senate bill No. 231. Senator Calbreath. (By unanimous consent.) A bill for an act to incorporate the town of Dundee, Yamhill county, state of Oregon.

Senator Calbreath moved that the rules be suspended and that senate bill No. 231 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Holt, Huston, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Denny, Gesner, Hobson, McAlister, Steiwer, and Woodard—7.

So the rules were suspended and senate bill No. 231 was read first time by title only and passed to second reading.

Senator Calbreath moved that the rules be further suspended and senate bill No. 231 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Bancroft, Carter, Denny, Gesner, Hobson, and Maxwell—6.

So the rules were suspended and senate bill No. 231 was read second time by title only.

On motion of Senator Calbreath, senate bill No. 231 was considered engrossed and passed to third reading.

Senator Calbreath moved that the rules be further suspended and that senate bill No. 231 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Absent—Senators Bancroft, Carter, Denny, Gesner, McClung, and Smith of Clatsop—6.

So the rules were suspended and senate bill No. 231 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Bancroft, Carter, Denny, McClung, and Smith of Clatsop—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 232. Senator Butler. (By unanimous consent.) A bill for an act to create a state board of assessors and to define their duties and powers thereof, and to provide a more equitable and just method of assessment and taxation and the equalization thereof, and to provide for the assessment and collection of a state poll tax, and to amend section 1 of an act entitled an act to amend sections 2752 and 2769, and to repeal sections 2730, 2735, 2736, 2737, 2753, 2754, 2755, 2756, and 2757 of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to the assessment of property and the collection of taxes, and to repeal an act entitled an act to provide for a state board of equalization, to prescribe the manner of its creation, and its powers and duties, filed in the office of the secretary of state February 21, 1891.

Senate bill No. 232 was read first time and passed to second reading without question.

Senator Butler moved that the rules be suspended and that senate bill No. 232 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, and Huston—5.

So the rules were suspended and senate bill No. 232 was read second time by title only.

On motion of Senator Butler, senate bill No. 232 was laid on the table.

Senate bill No. 224 having been heretofore made a special order of business for this hour the same was considered.

Senate bill No. 224 was read third time.

Senator Holt moved a call of the senate.

The roll was called and those present were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Absent—Senators Carter and Denny—2.

Senators Carter and Denny were excused from attendance upon the consideration of the bill.

On motion of Senator Cogswell, further proceedings under the call of the senate was dispensed with.

Senator Dawson moved to recommit senate bill No. 224 to the committee on judiciary with instructions to amend by excluding Linn county from the provisions of the bill.

Senators Cogswell and King called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Calbreath, Dawson, Gesner, Gowan, Maxwell, McGinn, Price, Steiwer, and Mr. President—10.

Nays—Senators Alley, Beckley, Brownell, Butler, Cogswell, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—17.

Absent—Senators Carter, Denny, and Woodard—3.

So the senate refused to recommit the bill.

Senator Raley moved the previous question.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Cogswell, Holt, Huston, Johnson, King, McAlister, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—13.

Nays—Senators Alley, Bancroft, Calbreath, Dawson, Gesner, Gowan, Hobson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—15.

Absent—Senators Carter and Denny—2.

So the bill failed to pass.

Senator Raley moved that the rules be suspended and that senate bill No. 201 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Denny—2.

So the rules were suspended and senate bill No. 201 was read second time by title only and passed to third reading.

On motion of Senator Raley, senate bill No. 201 was referred to the committee on medicine, pharmacy, and dentistry.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 119,—a bill for an act for the establishment of a state normal school at Ashland, and providing for the management thereof and making an appropriation for the same.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 19,—a bill for an act to maintain the state graded school at Lakeview, Lake county, Oregon, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 126,—a bill for an act providing for liens upon horses and other animals for the cost of shoeing the same.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 12, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 29, relating to investigating the books and accounts of the state food and dairy commissioner.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 29.

*Resolved by the House, the Senate concurring,* That a committee of three persons from the house and two from the senate be appointed to investigate the books and accounts of the state food and dairy commissioner, and that said committee be authorized to employ a competent clerk to expert said books and accounts at a figure not to exceed three dollars per day for the time actually employed, and that such expert shall not consume more than three days in making such investigation, the committee to have leave to report at any time.

Senator Cogswell moved to refer house concurrent resolution No. 29 to the committee on revision of laws.

The motion was lost.

On motion of Senator Huston, the senate concurred in house concurrent resolution No. 29.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

## JOINT CONVENTION.

The joint convention of February 13, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter, Denny, and Smith of Clatsop.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Templeton, and Smith of Linn.

The following named gentlemen were announced as paired on the vote for United States senator: Carter with Cooper, Denny with Smith of Clatsop, and Templeton with Smith of Linn.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Thompson, Woodard, Mr. Speaker, and Mr. President—39.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Raley, and Smith of Sherman—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Gates, Hofer, Johnson, Keyt, Lester, Lyle, Rinearson, Scott, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Curtis, Davis, Guild, Gurdane, Hope, Patterson of Grant, Wright, and Yates—12.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, Hillegas, and McClung—5.

Total number of votes cast—84.

Absent and paired—6.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

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IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator McGinn, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on account of illness.

Senator Brownell, chairman of the committee on railroads, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 44, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

GEO. C. BROWNELL,  
Chairman.

Senate bill No. 44 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 144, 175, 160, 150, 70, 159, 93, 86, 147, 129, and 52, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 237,—a bill for an act for the relief of certain persons, who, through want of notice, inadvertence, or accident, were prevented from complying with the provisions of section 13 of the act of the legislative assembly of the state of Oregon, filed in the office of the secretary of state February 28, 1889, entitled "An act to regulate the practice of medicine and surgery in the state of Oregon."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 186,—a bill for an act to amend sections 1, 2, 3, 6, 7, 8, 9, and 10, and to repeal section 5 of an act entitled an act to regulate the practice of dentistry in the state of Oregon, and providing penalties for violation of the same, passed and approved February 23, 1887.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint resolution No. 2 of the seventeenth biennial session.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
 Chief clerk.

The president announced that he was about to sign house joint resolution No. 2 of the seventeenth session, and soon thereafter declared that he had signed the same.

Senator Denny, chairman of the committee on judiciary, submitted the following majority and minority reports:—

## MAJORITY REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 11, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 68, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass for the reason that your committee deem it to be unconstitutional.

O. N. DENNY,  
 Chairman.

## MINORITY REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 11, 1895. }

*Mr. President:*

The undersigned would report as to senate bill No. 68 that we have grave doubts as to the constitutionality of said bill, but the same has been very thoroughly and earnestly argued by able counsel on behalf of the railroad company, while no attorney has appeared to argue the other side; that he has been so busy with other business of the senate that he has not had opportunity to investigate this matter as thoroughly as he would like to have done, but, realizing keenly the needs of the producers of eastern Oregon of some relief, and as their representatives here are earn-

estly in favor of the passage of this bill, he feels constrained to resolve his doubts in favor of the bill and will therefore vote for the same. If it were his bill there are certain amendments which he certainly would have adopted, namely, to provide compensation being tendered before requiring the railroad company to accept the freight; and, second, to provide that the company, individual, or corporation who builds the branch or incline to connect the track of the Oregon Railway and Navigation Company with the river should be a common carrier, and required to receive any freight tendered; but the author of the bill seems very much opposed to any amendment and therefore the undersigned will support it as it now stands.

S. B. HUSTON,  
A. W. GOWAN.

On motion of Senator Smith of Sherman, senate bill No. 68 was ordered to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 58, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, and that further consideration of both the original bill and the proposed substitute therefor be indefinitely postponed.

O. N. DENNY,  
Chairman.

Senator Cogswell, one of the members of the committee on judiciary, submitted the following minority report:—

#### MINORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 58, beg leave to report that we have had the same under

consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend the title of the bill to read as follows: "A bill for an act to provide for a convention to frame a new constitution for the state of Oregon."

AMENDMENT.

Strike out all the remainder of said bill after the enacting clause and insert in lieu thereof the following:

Section 1. That a convention to frame a new constitution for the state of Oregon is hereby called to meet at the capitol, in the city of Salem, on the first Monday in November, 1896.

Section 2. That the convention hereby called shall be composed of sixty delegates, to be chosen by the qualified voters of this state at the general election to be held in all the precincts of this state on the first Monday in June, 1896. Said delegates shall be elected by senatorial districts, and each senatorial district shall be entitled to elect two delegates to said convention for each senator which said district may be entitled to elect at that time.

Section 3. That notices of the election of delegates to the convention hereby called shall be given in the same manner as notices of the general election is now required to be given. That the same judges and clerks who act as such at the general election of June, 1896, shall act as judges and clerks of the election of said delegates.

Section 4. That the powers and duties of judges and clerks of election under this act, the qualification of voters, the conducting of the election and canvassing the votes, shall be the same as are provided in the laws of this state regulating general elections; *provided*, that if after the election of delegates and prior to the final adjournment of the convention a vacancy in the delegation from any senatorial district shall occur, the governor shall fill said vacancy by appointing a delegate who shall be a member of the same political party as was the delegate who was originally elected to that position.

Section 5. That the qualifications of delegates to the convention shall be the same as are required by the present constitution for representatives. It shall be the duty of the delegates elected to meet at the time and place herein provided, and proceed to the formation of a constitution for this state.

Section 6. That delegates attending the convention herein provided for shall receive the same mileage and per diem as is

now allowed to representatives, and there shall be appropriated out of the general fund of the treasury of this state on the first Monday in November, 1896, the sum of twenty thousand dollars, or so much thereof as may be necessary for the payment of the expenses of said convention, including the per diem and mileage of delegates.

Section 7. That the secretary of state is authorized and required, upon presentation to him by any delegate or officer of the convention for mileage, per diem, or service duly entitled and certified by the presiding officer and chief clerk of said convention, to draw his warrant in favor of the party entitled, upon the treasury of the state for the amounts so certified, and the treasurer shall pay such amounts out of the funds hereby appropriated.

Section 8. The secretary of state shall contract for and furnish to the convention upon the requisition of the presiding officer, all furniture, stationary, lights, fuel, and other things required, and for the necessary expense he shall draw a warrant upon the treasurer.

Section 9. The constitution that may be framed by said convention shall be submitted for adoption to the people of this state at the general election to be held in all precincts of this state, on the first Monday in June, 1898. The regular official ballots at that election shall have printed upon them the words, "For the new constitution, Yes—No." Any voter desiring to vote for the adoption of the constitution shall erase from his ballot the word "No," and any voter desiring to vote against the adopting of the new constitution shall erase from his ballot the word "Yes." The necessary provision shall be made on the tally-sheet for counting the vote on the constitution. The judges and clerks of the election at said election shall also be judges and clerks of the election on the adoption of the constitution. It shall be the duty of the county commissioners to canvass the vote as other votes are canvassed. The county clerk of each county shall make out separate lists of the vote for and against the constitution in his county, and return the same to the secretary of state, as other state election returns are made, and the governor, secretary of state, and state treasurer shall canvass the same within thirty days after the election, if all the votes have been received. If the votes have not been received within the said thirty days, then the secretary of state shall send messengers for the same, as in other cases provided by law. And if a majority of the electors of this state shall have voted for the new constitution, it shall be the constitution of this state from and after ninety (90) days from the election adopting the same. And it shall be the duty of the governor to publish his procla-



mation of the same in at least six newspapers, one paper in six different counties of this state.

Section 10. The convention shall have power to elect such officers as shall be necessary to transact the business of the convention, and fix their compensation.

C. A. COGSWELL,  
Chairman *pro tem*.

On motion of Senator McGinn, the amendments as reported by the minority of the committee were laid on the table, and the clerk directed to have the amendments printed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 10, filed in the office of the secretary of state March 27, 1893, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

Senator King moved that house joint resolution No. 10 of the seventeenth biennial session be adopted.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senator Huston—1.

Absent—Senators Carter, Denny, Gowan, and Smith of Clatsop—4.

So the resolution was adopted.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 149, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line nineteen, page 1 of the engrossed bill, strike out the words "other person," and insert in lieu thereof the words "qualified elector of this state."

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendment was adopted.

On motion of Senator Cogswell, house bill No. 149 was ordered to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 139, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, senate bill No. 139 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill

No. 192, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, house bill No. 192 was ordered to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 99, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Amend section 2 of said bill by adding thereto, at the end thereof, the following: "and shall be allowed the same fees for his services as now provided by law for county clerks, to be accounted for the same manner as his other fees."

O. N. DENNY,  
Chairman.

On motion of Senator Cogswell, the amendment was adopted.

On motion of Senator Cogswell, house bill No. 99 was ordered to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 40, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator McGinn, senate bill No. 40 was considered engrossed and passed to third reading.

Senator McGinn moved that the rules be suspended and that senate bill No. 40 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Carter, Denny, Gesner, Gowan, Smith of Clatsop, and Vanderburg—6.

So the rules were suspended and house bill No. 40 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Vanderburg, Woodard, and Mr. President—20.

Nays—Senators Beckley, Cogswell, Hobson, Holt, Huston, McAlister, and Steiwer—7.

Absent—Senators Carter, Denny, and Smith of Clatsop—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 94, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Add to the title, immediately after the last word in the title, the following words: "Relating to the attachment of property."

H. E. MCGINN,  
Chairman.

On motion of Senator Smith of Clatsop, the amendment was adopted.

On motion of Senator Smith of Clatsop, senate bill No. 94 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 161, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out all the words on line eighteen of section 1 of the bill as printed, and insert in place thereof the following: "Jackson, one thousand eight hundred dollars; Jackson, one deputy, one thousand dollars."

## AMENDMENT.

Strike out all the words on line ten of section 4 of the bill as printed, and insert in place thereof the following: "Coos, two thousand dollars."

## AMENDMENT.

Strike out all the words on line nineteen of section 4 of the bill as printed, and insert the following: "Jackson, one deputy, one thousand two hundred dollars."

## AMENDMENT.

By inserting after the words "the number of folios," on line ten of section 5 of the bill, the following: "*provided*, that whenever, in counties of more than fifty thousand inhabitants, any

officer mentioned in this act shall receive any fee or charge for furnishing to private parties any copy of any record or file in his office for the benefit or convenience of such private persons, such fee or charge shall be immediately paid into the county treasury of such county the same as other fees and charges are directed to be paid; and in no case shall any officer mentioned in this act in counties of more than fifty thousand inhabitants be allowed to have, take, or receive any such charge or fee to his own use."

#### AMENDMENT.

By inserting after the words "claims against the county," on line sixteen of section 6 of the printed bill, the following: "*provided*, that in counties of more than fifty thousand inhabitants the county court of such county shall have the right to advertise for bids for the board of prisoners, and to allow the contract for the board of such prisoners to the lowest responsible bidder, and if any responsible bidder other than the sheriffs have received the contract from the county for the board of prisoners, the sheriff in such counties shall receive no compensation for the board of such prisoners, but the same must be given to such lowest bidder, and in such case the sheriff shall afford all facilities to such person or persons for carrying out his contract with the county for the board of such prisoners; *provided, further*, that in counties of more than fifty thousand inhabitants the fees now paid by the state for transporting and conveying convicts to the state penitentiary, and insane and idiotic persons to the state asylum, when conveyed by such sheriff in pursuance of the adjudication of any authorized tribunal of the state, shall be paid into the county treasury of such county, and the sheriff so conveying such convict, insane, or idiotic person shall only be entitled to receive the actual expenses incurred by him from such county when the said expenses shall have been audited and allowed as other claims are audited and allowed against the county; and in no case shall the sheriff in such counties of more than fifty thousand inhabitants be allowed to receive any compensation from the state whatever for the transportation or conveying of such convicts, insane, or idiotic persons, but all fees now allowed by law and paid by the state for such services shall be paid into the county treasury of such county; *provided, further, also*, that in counties containing more than fifty thousand inhabitants the sheriff shall be entitled to receive all mileage for serving process or papers in civil cases, but shall not receive any mileage in criminal cases whatever, or on executions in civil or criminal cases."

## AMENDMENT.

Amend by striking out the word "foreigners," on line one, section 7 of the bill as printed, and inserting in place thereof the word "coroners."

## AMENDMENT.

Amend by inserting after the words "to costs in the case," in line four, section 7, the following: "save and except in the county of Multnomah, where a fixed salary is paid the coroner by law."

## AMENDMENT.

Amend by inserting after the words "as before mentioned," on lines seven and eight, section 11 (printed section 10 by error,) of the printed copy of the bill, the following: "All laws and parts of laws in conflict herewith are hereby repealed in so far as they conflict. Inasmuch as the fees, compensation, and emoluments now received by the officers named in this act for the services herein mentioned are manifestly excessive and burdensome to the taxpayers, this act shall take immediate effect from and after its approval by the governor."

H. E. MCGINN,  
Chairman.

On motion of Senator McGinn, the amendments were adopted.

Senator Maxwell moved that senate bill No. 161 be further amended as follows: "That in section 1, line thirty-one, printed bill, strike out the amount one thousand five hundred dollars, and insert in lieu thereof one thousand six hundred dollars; also add between lines thirty-one and thirty-two, Tillamook (one deputy), six hundred dollars; also in section 4, line thirty-three, strike out one thousand two hundred dollars and insert in lieu thereof one thousand six hundred dollars."

On motion of Senator Maxwell, the amendments were adopted.

On motion of Senator Butler, senate bill No. 161 was ordered engrossed and to third reading tomorrow.

Senator King moved that the rules be suspended and that senate bill No. 229 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Calbreath, Carter, Denny, Smith of Sherman, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 229 was read second time by title only.

On motion of Senator King, senate bill No. 229 was referred to the committee on irrigation, with leave to report at any time.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 114, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator Steiwer, senate bill No. 114 was ordered engrossed and to third reading tomorrow.

Senator Beckley moved to reconsider the vote by which house bill No. 227 was indefinitely postponed.

The president ruled the motion out of order.

Senator Cogswell appealed from the ruling of the president.

The question being, "Shall the decision be sustained as the ruling of the senate?"

The motion prevailed.

So the decision of the president was sustained as the ruling of the senate.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 22, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.



On motion of Senator Holt, senate bill No. 22 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 27, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator Butler, senate bill No. 27 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 187, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

Senator Patterson moved that the rules be suspended and that senate bill No. 187 be considered engrossed, read third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Denny, Huston, Raley, and Smith of Sherman—5.

So the rules were suspended and senate bill No. 187 was read third time and placed on final passage.

Unanimous consent having been first obtained, Senator McGinn amended the bill by inserting at the last of section 1 the following: "*provided*, that whenever the county judge of any county deems it unwise to have an insane patient conveyed to the asylum, under the directions of the superintendent of such asylum, such county judge may, in his discretion, appoint any suitable person or relative of such insane person to convey such insane person to the insane asylum."

Senator Bancroft amended the bill by inserting the words "or other safe place" after the words "county jail."

Senator McClung amended the bill by striking out the word "jail," in line nine of section 1.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senators Gowan, McAlister, and Raley—3.

Absent—Senators Carter, Dawson, and Denny—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 53,—a bill for an act to amend section 3580 of chapter I of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill and as amended by the act approved February 25, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 25,—a bill for an act to amend section 503 of chapter V of title VII of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 13, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 173,—a bill for an act to amend sections 12, 14, 15, and 16 of an act entitled "An act to establish the soldiers' home and to make an appropriation therefor," filed in the office of the secretary of state February 21, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

Senate bill No. 233. Senator Brownell. (By unanimous consent.) A bill for an act to incorporate the city of Oregon City, and to repeal all acts and parts of acts in conflict therewith, to wit: An act to incorporate Oregon City, passed the house January 15, 1859; an act to define the powers and limit the liability of Oregon City, approved October 25, 1866; an act entitled an act to incorporate Oregon City, filed in the office of the secretary of state February 25, 1889; an act entitled an act to incorporate the city of Oregon City, filed in the office of the secretary of state February 18, 1891; an act entitled an act to incorporate the city of Oregon City, filed in the office of the secretary of state February 20, 1893, and to repeal all acts and parts of acts in conflict therewith.

Senator Brownell moved that the rules be suspended and that senate bill No. 233 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Carter, Denny, Dawson, Gesner, and Smith of Sherman—5.

So the rules were suspended and senate bill No. 233 was read first time by title only and passed to second reading.

Senator Brownell moved that the rules be further suspended and that senate bill No. 233 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Dawson, and Denny—3.

So the rules were suspended and senate bill No. 233 was read second time by title only.

On motion of Senator Brownell, senate bill No. 233 was ordered engrossed and to third reading tomorrow.

Senator Brownell moved that the rules be further suspended and that senate bill No. 233 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Smith of Clatsop—3.

So the rules were suspended and senate bill No. 233 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley,

Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Dawson, Denny, and Smith of Clatsop—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Huston moved that the rules be suspended and that senate bill No. 196 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Dawson, Denny, and Gesner—4.

So the rules were suspended and senate bill No. 196 was read second time by title only.

Senate bill No. 196 was referred to committee on municipal corporations.

Senator Gowan moved that the rules be suspended and that senate bill No. 168 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Brownell, Carter, Dawson, Denny, Gesner, Maxwell, and Smith of Sherman—7.

So the rules were suspended and senate bill No. 168 was read second time by title only.

On motion of Senator Gowan, senate bill No. 168 was referred to the committee on judiciary.

Senator Johnson moved that the rules be suspended and that house bill No. 358 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Absent—Senators Brownell, Carter, Dawson, Denny, McGinn, and Smith of Sherman—6.

So the rules were suspended and house bill No. 358 was read first time by title only and passed to second reading.

Senator Johnson moved that the rules be further suspended and that house bill No. 358 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Gowan, Hobson, Huston, Johnson, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Calbreath, Carter, Dawson, Denny, Gesner, Holt, King, Maxwell, and Raley—9.

So the rules were suspended and house bill No. 358 was read second time by title only and passed to third reading.

Senator Johnson moved that the rules be further suspended and that house bill No. 358 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—22.

Nays—Senator Raley—1.

Absent—Senators Carter, Dawson, Denny, Maxwell, Smith of Sherman, Smith of Clatsop, and Vanderburg—7.

So the rules were suspended and house bill No. 358 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and King—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Butler moved that the rules be suspended and that senate bill No. 206 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Denny—2.

So the rules were suspended and senate bill No. 206 was read second time by title only.

On motion of Senator Butler, senate bill No. 206 was referred to the committee on judiciary, with leave to report at any time.

On motion of Senator McGinn, senate bill No. 99 was made a special order of business for 10 o'clock a. m. tomorrow.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 43, 130, 126, 154, 17, 82, 170, 59, 131, 10, 30, 99, 173, 116, and 119, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Alley, chairman of the special committee to whom was referred house bill No. 130, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Lane county, to whom was referred house bill No. 130, beg leave to report that we have had the same under consideration, and re-

spectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

Senator Alley moved that the rules be suspended and that house bill No. 130 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Steiwer—3.

So the rules were suspended and house bill No. 130 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Huston, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Bancroft, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

THURSDAY, FEBRUARY 14, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.



The roll was called, and all the senators were present, except Senators Carter and Denny, who were absent on account of illness.

The morning session of the senate was opened with prayer by Rev. J. M. Shulse.

On motion of Senator McGinn, the reading of the journal of the proceedings of yesterday was dispensed with.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 1,—a bill for an act to repeal sections 4002 to 4025 of title I, chapter LXXIII of miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, and to repeal an act entitled "An act to increase the power and further define the duties of the railroad commissioners in respect to the management, operation, and control of railroads and the transportation of persons and property within the state of Oregon."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 351.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 207,—an act to punish any person who

shall injure or remove any notice, stake, or monument of a mining claim.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 193,—an act to amend section (1) one of an act entitled "An act for securing liens of laborers on mining claims and material men and prescribing the manner of their enforcement, approved February 20, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint resolution No. 10 of the seventeenth biennial session, house joint memorial No. 2, house concurrent resolution No. 29, and house bill No. 169.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as the house committee under house concurrent resolution No. 29, Messrs. Guild, Calvert, and Hillegas.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 351 and 169, house joint resolution No. 10 of the seveneenth biennial session, house joint memorial No. 2, and house concurrent resolution No. 29, and soon thereafter declared that he had signed the same.

As committee on the part of the senate under house concurrent resolution No. 29, the president appointed Senators Price and Hobson.

On motion of Senator Cogswell, the courtesies of the senate were extended to Hon. J. B. Bailey, and he was invited to a seat within the bar.

Senate bill No. 99 having been heretofore made a special order of business for this hour, was now considered.

Senate bill No. 99 was read third time.

On motion of Senator Gowan, the previous question was demanded.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—Senators Cogswell, Gesner, Huston, Patterson, and Smith of Clatsop—5.

Absent—Senators Carter and Denny—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Steiwer, chairman of the committee on irrigation, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on irrigation, to whom was referred senate bill No. 229, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

On page 3, section 2, line forty-one of the printed bill, strike out the word "elected" and insert in lieu thereof the word "elective."

AMENDMENT.

In line forty-three of section 2, strike out all of line forty-three after the word "he," and all of line forty-four, and insert in lieu thereof the following: "or she is a *bona fide* landowner in the district and of the age of twenty-one years or over."

AMENDMENT.

In section 3, line thirteen, strike out the word "recorder" and insert in lieu thereof the word "clerk."

AMENDMENT.

On page 4, section 4, line fifteen of the printed bill, strike out the words "recorder or."

AMENDMENT.

On page 8, section 12, line twenty-one, strike out the word "there" and insert in its stead the word "thereof."

AMENDMENT.

On page 12, section 18, line ten, after the words "paid out as" insert the word "in."

AMENDMENT.

On page 14, section 24, line ten, after the word "property" insert the words "shall be."

AMENDMENT.

In line eleven of section 24, strike out all of said line after the word "equalization" and insert in lieu thereof the following: "on the basis set forth in section 18 of this act."

AMENDMENT.

In section 25, line one, strike out the word "is" and insert in its stead the words "shall be."

AMENDMENT.

In line three of said section 25, strike out the words "is not," and insert in lieu thereof the words "shall not be."

## AMENDMENT.

On page 16, section 30, line six, strike out the word "recorder" and insert in its place the word "clerk."

## AMENDMENT.

On page 20, section 39, line eleven, after the words "possessed by" strike out the words "boards of county commissioners in" and insert in lieu thereof the words "the county court of."

W. W. STEIWER,  
Chairman.

On motion of Senator King, the amendments were adopted.

On motion of Senator King, senate bill No. 229 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 206, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Butler, senate bill No. 206 was ordered engrossed and to third reading.

Senator Butler moved that the rules be suspended, and that senate bill No. 206, be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 26.

Nays — None.

Absent — Senators Carter, Denny, Gesner, and Patterson — 4.

So the rules were suspended and senate bill No. 206 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Gesner, and Patterson—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 234. Senator Raley. (By unanimous consent.) A bill for an act entitled an act to amend sections 1, 3, and 7 of an act approved February 15, 1889, entitled an act to appoint places and times of holding the supreme court; to provide for reporting and publishing its decisions, and also suitable compensation for the work of reporting, and to authorize the appointment of an additional clerk, and to repeal section 2327 of the annotated laws of 1887.

Senator Raley moved that the rules be suspended and that senate bill No. 234 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Gesner, and Patterson—4.

So the rules were suspended and senate bill No. 234 was read first time by title only.

Senator Raley moved that the rules be further suspended and that senate bill No. 234 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Absent—Senators Carter, Denny, Gesner, and Patterson—4.

So the rules were suspended and senate bill No. 234 was read second time by title only.

On motion of Senator Raley, senate bill No. 234 was considered engrossed and passed to third reading.

Senator Raley moved that the rules be further suspended and that senate bill No. 234 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Steiwer, Woodward, and Mr. President—22.

Nays—Senators Huston, Smith of Sherman, Smith of Clatsop, and Vanderburg—4.

Absent—Senators Carter, Denny, Gesner, and Patterson—4.

So the rules were suspended and senate bill No. 234 was read third time and placed on final passage.

On motion of Senator Gesner, senate bill No. 234 was laid on the table.

Senate bill No. 235. Senator Bancroft. (By unanimous consent.) A bill for an act to amend section 495 of chapter V of title VII of the general laws of Oregon, as compiled and annotated by William Lair Hill.

Senator Bancroft moved that the rules be suspended and that senate bill No. 235 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Price, Raley, Smith of Clatsop, Steiwer, Woodward, and Mr. President—21.

Nays—Senator Smith of Sherman—1.

Absent—Senators Carter, Dawson, Denny, Gesner, Gowan, Maxwell, Patterson, and Vanderburg—8.

So the rules were suspended and senate bill No. 235 was read first time by title only and passed to second reading.

Senator Bancroft moved that the rules be further suspended and that senate bill No. 235 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Hobson, Holt, Huston, Johnson, King, McAlis-

ter, McClung, McGinn, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Dawson, Denny, Gowan, Maxwell, Patterson, and Smith of Sherman—7.

So the rules were suspended and senate bill No. 235 was read second time by title only.

On motion of Senator Bancroft, senate bill No. 235 was referred to the committee on judiciary, with leave to report at any time.

Senator Woodard moved that the rules be suspended and that senate bill No. 169 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Gesner, Hobson, Holt, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Dawson, Denny, Gowan, Huston, Johnson, and Raley—7.

So the rules were suspended and senate bill No. 169 was read second time by title only.

On motion of Senator Woodard, senate bill No. 169 was referred to the committee on assessment and taxation, with leave to report at any time.

On motion of Senator Raley, the courtesies of the senate were extended to Hon. R. S. Alexander, and he was invited to a seat within the bar.

Senator Price moved that the rules be suspended and senate bill No. 30 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Carter, Denny, and Gowan—3.

So the rules were suspended and senate bill No. 30 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King,



Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Johnson, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 236. Senator Cogswell. (By unanimous consent.) A bill for an act submitting to the electors of the state of Oregon at the general election to be held on the first Monday in June, 1896, the pending proposed constitutional amendments.

Senator Cogswell moved that the rules be suspended and that senate bill No. 236 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, McGinn, and Patterson—4.

So the rules were suspended and senate bill No. 236 was read first time by title only and passed to second reading.

Senator Cogswell moved that the rules be further suspended and that senate bill No. 236 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Carter and Denny—2.

So the rules were suspended and senate bill No. 236 was read second time by title only.

On motion of Senator Cogswell, senate bill No. 236 was considered engrossed and passed to third reading.

Senator Cogswell moved that the rules be further suspended and that senate bill No. 236 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Gesner, and McGinn—4.

So the rules were suspended and senate bill No. 236 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Carter, Denny, Gesner, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 156.

And the same are herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Brownell moved that the rules be suspended and that senate bill No. 105 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Calbreath, Carter, Denny, Hobson, and Steiwer—5.

So the rules were suspended and senate bill No. 105 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Carter, Denny, Hobson, McGinn, and Steiwer—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Price asked that he might be excused from further attendance upon the senate for the remainder of the week.

Permission was granted.

Senator Butler moved that the rules be suspended and that senate bill No. 27 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senator Holt—1.

Absent—Senators Carter, Denny, Patterson, and Raley—4.

So the rules were suspended and senate bill No. 27 was read third time.

Pending the consideration of senate bill No. 27, the hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 14, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter, Denny, and Huston.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Smith of Josephine, and Wright.

The following named gentlemen were announced as paired on the vote for United States senator: Carter with Cooper, Denny with Huston, and Smith of Josephine with Wright.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—39.

Those voting for Hon. J. K. Weatherford were: Messrs. Beckley, Butler, Cogswell, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cole, Gates, Hofer, Johnson, Keyt, Lester, Lyle, Rinearson, Scott, and Tigard—11.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Coon, Davis, Guild, Gurdane, Hope, and Patterson of Grant—9.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Curtis, Dunn, Hillegas, McClung, Smith of Linn, and Yates—8.

Total number of votes cast—84.

Absent and paired—6.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Curtis, the joint convention adjourned.

## IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator King, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Denny, who was absent on account of illness, and Senator Price absent on leave.

The senate having under consideration senate bill No. 27 at the time of adjournment, the same was now considered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—24.

Nays—Mr. President—1.

Absent—Senators Calbreath, Denny, McClung, Price, and Smith of Sherman—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Alley, chairman of the committee on agriculture and forestry, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on agriculture and forestry, to whom was referred senate bill No. 50, beg leave to report that we have had the same under consideration, and respectfully report it back to

the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 2, section 3, line four of the printed bill, strike out the word "without."

AMENDMENT.

On page 2, section 3, line six, insert the word "fifty" in the place of the "blank."

AMENDMENT.

On page 7, section 12, line eight, insert the word "three" in place of the "blank."

AMENDMENT.

On page 7, section 14, line five, insert the words "three thousand five hundred" in place of the "blank."

AMENDMENT.

On page 7, section 14, line six, insert the words "three thousand five hundred" in place of the "blank."

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, the amendments were adopted.

On motion of Senator Raley, senate bill No. 50 and amendments were laid on the table.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 235, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass. This report is unanimous, with one exception.

O. N. DENNY,  
Chairman.

I recommend that the bill do not pass.

C. A. COGSWELL.

On motion of Senator Cogswell, senate bill No. 235 was laid on the table and the clerk directed to have the same printed.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 200, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. F. CALBREATH,  
Chairman.

On motion of Senator Vanderburg, senate bill No. 200 was ordered engrossed and to third reading tomorrow.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 9, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. F. CALBREATH,  
Chairman.

On motion of Senator Vanderburg, senate bill No. 9 was ordered engrossed and to third reading tomorrow.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to

whom was referred senate bill No. 134, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be withdrawn at the request of Senator Carter, who introduced it.

J. F. CALBREATH,  
Chairman.

On motion of Senator Carter, senate bill No. 134 was withdrawn from the files and records.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and denistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 138, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

J. F. CALBREATH,  
Chairman.

On motion of Senator Calbreath, further consideration of senate bill No. 138 was indefinitely postponed.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 169, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Woodard, senate bill No. 169 was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred house bill No. 116, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator Price, house bill No. 116 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred house bill No. 57, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator Maxwell, house bill No. 57 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred house bill No. 317, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator Woodard, house bill No. 317 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred house bill No. 243, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator King, house bill No. 243 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred house bill No. 122, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator Dawson, house bill No. 122 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was re-

ferred house bill No. 254, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

A. R. PRICE,  
Chairman.

On motion of Senator Patterson, house bill No. 254 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 102, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment, to wit:

#### AMENDMENT.

That there be added to section 13 of said act, and immediately following the last word in said section, the following words, to wit: "And the mayor and each member of the common council shall receive a salary of one hundred dollars per annum, from which shall be deducted, however, by the auditor and police judge the sum of five dollars for each time that the mayor or such member of the council may be absent from a meeting of the common council."

A. R. PRICE,  
Chairman.

On motion of Senator Smith of Clatsop, the amendment was adopted.

On motion of Senator Smith of Clatsop, senate bill No. 102 was ordered engrossed and to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was re-

ferred house bill No. 142, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line four, section 4, strike out the word "districts" and insert in lieu thereof the word "district."

AMENDMENT.

In line 7, section 5, insert the words "or less" between the words "more" and "than."

AMENDMENT.

Add to section 13 of said act, and immediately following the last word in said section, the following words, to wit: "and the mayor and each member of the common council shall receive a salary of one hundred dollars per annum, from which shall be deducted, however, by the auditor and police judge, the sum of five dollars for each time that the mayor or such member of the council may be absent from a meeting of the common council."

A. R. PRICE,  
Chairman.

On motion of Senator Smith of Clatsop, the amendments were adopted.

On motion of Senator Smith of Clatsop, house bill No. 142 was ordered to third reading tomorrow.

Senator Price, chairman of the committee on municipal corporations, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1895. }

*Mr. President:*

Your committee on municipal corporations, to whom was referred senate bill No. 85, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line twelve, section 1 of printed bill, strike out the words "and break."

## AMENDMENT.

In line one, section 4, strike out the words "the city of Baker" and insert in lieu thereof the words "Baker City."

## AMENDMENT.

Strike out the word "common" throughout the printed bill where it appears in connection with the word "council."

## AMENDMENT.

Strike out section 5 and insert in lieu thereof the following: "Section 5. The members of the council shall be elected for two years, and hold their offices until their successors are elected and qualified, but any councilman appointed by the council as provided in section 27 of this act to fill a vacancy, shall hold his office until his successor is elected and qualified. His successor shall be elected at the first general election after the appointment of such councilman, by the council, and his election shall be for the purpose of filling the remaining unexpired term of the councilman first creating the vacancy."

## AMENDMENT.

In line one, section 12, strike out the first word "is" and insert in lieu thereof the words "shall be."

## AMENDMENT.

In line one, section 12, strike out the words "the municipal corporation" and insert in lieu thereof the words "Baker City."

## AMENDMENT.

In line one, section 12, strike out the word "is" in end of line, and insert in lieu thereof the word "shall."

## AMENDMENT.

In line two, section 12, insert the word "be" after the word "appointment."

## AMENDMENT.

Strike out all of section 12 after the word "election" in line five.

AMENDMENT.

Strike out section 13 and insert in lieu thereof the following: "Section 13. There shall be a general municipal election in Baker City on the first Monday of November of each year, at which time there shall be elected, as hereinbefore designated, members of the council, a mayor and city treasurer, except as otherwise provided in sections 6 and 9 of this act; the mayor and treasurer to be elected by the qualified voters of Baker City, and the members of the council by the qualified voters of the ward which they are to represent."

AMENDMENT.

In line two, section 26, strike out the word "said," and insert in lieu thereof the word "Baker."

AMENDMENT.

In line two, section 27, strike out the word "city."

AMENDMENT.

In line two, section 29, insert the word "to" between the words "time."

AMENDMENT.

After the word "on," in line three of section 33, insert the words "the final."

AMENDMENT.

After the word "all," in line six of section 34, insert the word "the."

AMENDMENT.

In line two, section 37, after the word "treasury," insert the following: "All contracts for constructing, repairing, improving, or ornamenting any place or object in the city or out of it, the expenses of which are to be paid out of the city treasury."

AMENDMENT.

In line one, section 41, after the word "Baker," insert the word "City."

## AMENDMENT.

After the words "powers and duties of officers," between sections 44 and 45, insert before the beginning of section 45, the word "mayor."

## AMENDMENT.

In line one, section 53, strike out the word "must," and insert the word "shall."

## AMENDMENT.

In line eight, section 53, after the word "fees," insert the words "shall be forthwith paid into the treasury of Baker City."

## AMENDMENT.

In line eleven, section 61, strike out the word "city."

## AMENDMENT.

In line one, section 66, strike out the word "is," and insert the words "shall be."

## AMENDMENT.

In line one, section 67, strike out the word "must," and insert the word "shall."

## AMENDMENT.

In line one, section 68, strike out the word "must," and insert the word "shall."

## AMENDMENT.

In line two, section 69, strike out the word "must," and insert the word "shall."

## AMENDMENT.

Before the beginning of section 72, insert the words "superintendent of streets."

## AMENDMENT.

In line eight, section 72, after the word "he," insert the word "shall."

## AMENDMENT.

In line sixteen, section 72, after the word "with," insert the word "his."

AMENDMENT.

In line one, section 73, strike out the first word "may," and insert the word "shall."

AMENDMENT.

In line two, section 76, strike out the word "must," and insert the word "shall."

AMENDMENT.

In line three, section 76, after the word "deliver," insert the word "them."

AMENDMENT.

In line six, section 77, strike out the word "they," and insert the word "he."

AMENDMENT.

In line one, section 79, strike out the word "is," and insert the words "shall be."

AMENDMENT.

In line one, section 79, strike out the word "must," and insert the word "shall."

AMENDMENT.

In line two, section 79, after the word "directed," strike out the word "by," and insert the word "to."

AMENDMENT.

In line two, section 79, after the word "him," strike out the word "to," and insert the word "by."

AMENDMENT.

After the word "treasury" in line 7, section 85, strike out the following: "and may receive such other compensation as tax collector as the council may provide or designate."

AMENDMENT.

Strike out all of section 89 after the word "collection" in line four, and insert the following: "and return to the auditor the tax roll and the warrants with his doings indorsed thereon, together with the receipt of the treasurer for all moneys paid to him, which have been collected on said warrants by the chief of police."



## AMENDMENT.

Strike out section 104 and insert in lieu thereof the following: "In case of a notice to establish a grade, or alteration thereof, the council may, at any date within six months after the expiration of giving the notice as provided in this act, establish, if they so decide the same by ordinance as proposed in the notice given."

## AMENDMENT.

In line one, section 110, strike out the word "cannot," and insert in lieu thereof the words "shall not."

## AMENDMENT.

In line two, section 111, strike out the figures "99," and insert in lieu thereof "110."

## AMENDMENT.

In line three, section 111, after the word "may," insert the following: "thereafter order a warrant for the collection of the same to be issued."

## AMENDMENT.

In line one, section 112, strike out the word "must," and insert the word "shall."

## AMENDMENT.

In line three, section 122, strike out the word "even," and insert in lieu thereof "either."

## AMENDMENT.

In line three, section 127, strike out the words "in sections 99 and 100," and insert in lieu thereof the word "herein."

## AMENDMENT.

In line one, section 130, strike out the word "declares," and insert in lieu thereof the words "shall declare."

## AMENDMENT.

In line two, section 130, strike out the words "is to," and insert the word "shall."

## AMENDMENT.

In line three, section 130, strike out the word "declares," and insert the words "shall declare."

AMENDMENT.

In line four, section 130, strike out the first word "may," and insert the word "shall."

AMENDMENT.

At the beginning of section 131, insert the word "whenever."

AMENDMENT.

In line three, section 132, add the letter "s" to the word "receipt."

AMENDMENT.

In line five, section 132, strike out the word "is," and insert the words "shall be."

AMENDMENT.

In line nineteen, section 134, strike out the word "is," and insert the words "shall be."

AMENDMENT.

In line twenty-two, section 134, strike out the word "the," and insert the word "Baker."

AMENDMENT.

In line two, section 135, strike out the word "reasonable," and insert the word "unreasonable."

AMENDMENT.

In line two, section 137, strike out the word "one," and insert the word "two."

AMENDMENT.

In line nine, section 137, strike out the word "said," and insert the word "Baker."

AMENDMENT.

In line one, section 143, strike out the words "the city of," and insert the words "Baker City."

AMENDMENT.

In line one hundred and five, section 143, strike out the word "said," and insert the word "Baker."

## AMENDMENT.

In line one hundred and eighty-one, section 143, after the word "are," insert the word "not."

## AMENDMENT.

In line two hundred and twenty-three, section 143, strike out the word "the," and insert the word "their."

## AMENDMENT.

In line two hundred and twenty-three, section 143, strike out the word "city."

## AMENDMENT.

Strike out all of line two hundred and twenty-seven of section 143 after the word "section;" also lines two hundred and twenty-eight and two hundred and twenty-nine, and insert after the said word "section" the following: "All persons over the age of twenty-one years, who are citizens of the United States, and who have resided within the corporate limits of Baker City for at least six months next preceding said election, and who has property therein on which he or she pays a tax, shall be entitled to vote at such special election, and none other."

## AMENDMENT.

In line one, section 144, strike out the word "city."

## AMENDMENT.

In line one, section 146, strike out the word "said."

A. R. PRICE,  
Chairman.

On motion of Senator King, the amendments were adopted.

On motion of Senator King, senate bill No. 85 was ordered engrossed and to third reading tomorrow.

Senator Alley, chairman of the committee on printing, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1895. }

*Mr. President:*

Your committee on printing, to whom was referred senate bill

No. 141, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

B. F. ALLEY,  
Chairman.

On motion of Senator Alley, senate bill No. 141 was ordered engrossed and to third reading tomorrow.

Senator Steiwer, chairman of the committee on public lands, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1895. }

*Mr. President :*

Your committee on public lands, to whom was referred house concurrent resolution No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be not adopted.

W. W. STEIWER,  
Chairman.

Senator Steiwer moved that further consideration of house concurrent resolution No. 13 be indefinitely postponed.

Senators Vandenburg and Smith of Sherman demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Dawson, Gesner, Gowan, Hobson, Maxwell, McGinn, Patterson, Steiwer, and Mr. President—10.

Nays—Senators Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Holt, Huston, Johnson, King, McAlister, McClung, Raley, Smith of Sherman, Smith of Clatsop, Vandenburg, and Woodard—18.

Absent—Senators Denny and Price—2.

So the motion to indefinitely postpone was lost.

Senator Patterson moved that house concurrent resolution No. 13 be referred to the committee on revision of laws.

Senators Huston and Vandenburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Maxwell, McClung, McGinn, Patterson, Steiwer, and Mr. President—14.

Nays—Senators Beckley, Brownell, Butler, Cogswell, Holt, Huston, Johnson, King, McAlister, Raley, Smith of Clatsop, Smith of Sherman, Vanderburg, and Woodard—14.

Absent—Senators Denny and Price—2.

So the senate refused to refer.

On motion of Senator Cogswell, house concurrent resolution No. 13 was referred to the committee on judiciary, with leave to report at any time.

Senator Dawson, chairman of the committee on roads and highways, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1895. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 184, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Senator Dawson, senate bill No. 184 was ordered engrossed and to third reading tomorrow.

Senator Patterson moved that the rules be suspended and that house bill No. 2 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—26.

Nays—None.

Absent—Senators Denny, King, Price, and Woodard—4.

So the rules were suspended and house bill No. 2 was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that house bill No. 2 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Gowan, Hobson, Huston, Johnson, King, Maxwell, Mc-

Alister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—Senators Beckley and Holt—2.

Absent—Senators Dawson, Denny, Gesner, and Price—4.

So the rules were suspended and house bill No. 2 was read second time by title only.

Senator Patterson moved that the rules be further suspended and that house bill No. 2 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Gesner, Gowan, Hobson, Huston, King, Maxwell, McAlister, McGinn, Patterson, Raley, Smith of Sherman, Woodard, and Mr. President—17.

Nays—Senators Beckley, Calbreath, Carter, Holt, Johnson, Steiwer, and McClung—7.

Absent—Senators Cogswell, Dawson, Denny, Price, Smith of Clatsop, and Vanderburg—6.

So the motion was lost.

On motion of Senator Huston, house bill No. 2 was laid on the table.

Senator Gesner moved that when the senate adjourns, it adjourns to meet at 7:30 p. m. today.

The motion failed.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 196, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Strike out all of section 7.

#### AMENDMENT.

Make section 8 of original bill section 7 of amended bill.

J. F. CALBREATH,  
Chairman.

On motion of Senator Huston, the amendments were adopted.

On motion of Senator Huston, senate bill No. 196 was ordered engrossed and to third reading tomorrow.

Senate bill No. 237. Senator Vanderburg. A bill for an act to provide for the relocating of the county seat of Coos county.

Senator Vanderburg moved that the rules be suspended and that senate bill No. 237 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, McAlister, McGinn, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Butler, Denny, Patterson, Price, Smith of Sherman, and Steiwer—7.

So the rules were suspended and senate bill No. 237 was read first time by title only and passed to second reading.

Senator Vanderburg moved that the rules be further suspended and that senate bill No. 237 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Denny, Price, and Patterson—3.

So the rules were suspended and senate bill No. 237 was read second time by title only.

On motion of Senator Vanderburg, senate bill No. 237 was ordered engrossed and to third reading tomorrow.

Senate bill No. 238. Senator Hobson. (By request.) A bill for an act to provide for the monthly payment of persons employed by the state of Oregon.

Senator Hobson moved that the rules be suspended and that senate bill No. 238 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Denny, McClung, Patterson, Price, and Smith of Sherman—5.

So the rules were suspended and senate bill No. 238 was read first time by title only and passed to second reading.

Senator Hobson moved that the rules be further suspended and that senate bill No. 238 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Alley, Denny, King, Patterson, Price, Smith of Sherman, and Steiwer—7.

So the rules were suspended and senate bill No. 238 was read second time by title only.

On motion of Senator Hobson, senate bill No. 238 was referred to the committee on claims.

Senate bill No. 239. Senator Butler. A bill for an act to provide for the purchase of additional ground and erection of a dining hall thereon for the state normal school at Monmouth, Oregon.

Senator Butler moved that the rules be suspended and that senate bill No. 239 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Denny, King, Patterson, Price, and Smith of Sherman—5.

So the rules were suspended and senate bill No. 239 was read first time by title only and passed to second reading.

Senator Butler moved that the rules be further suspended and that senate bill No. 239 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—21.

Nays—None.



Absent—Senators Carter, Denny, King, McGinn, Patterson, Price, Raley, Smith of Sherman, and Steiwer—9.

So the rules were suspended and senate bill No. 239 was read second time by title only.

On motion of Senator Butler, senate bill No. 239 was referred to the committee on ways and means.

Senator McGinn moved that the senate do now adjourn.

The motion failed.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 94, 22, 114, and 200, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 186 coming on for second reading, was read second time.

Senate bill No. 186 was referred to the committee on public buildings and institutions.

Senate bill No. 188 coming on for second reading, was read second time.

Senate bill No. 188 was referred to the committee on public lands.

Senate bill No. 189 coming on for second reading, was read second time.

Senate bill No. 189 was referred to the committee on judiciary.

On motion of Senator Patterson, house bill No. 2 was taken from the table.

Senator Steiwer submitted the following amendments to house bill No. 2:—

#### AMENDMENT.

On page 2, section 3, line six of the printed bill, insert the word "seventy-five" in place of the "blank."

#### AMENDMENT.

On page 7, section 12, line eight, insert the word "three" in place of the "blank."

AMENDMENT.

On page 7, section 14, line five, insert the words "four thousand five hundred" in place of the "blank."

AMENDMENT.

On page 7, section 14, line six, insert the words "four thousand five hundred."

On motion of Senator Steiwer, the amendments were adopted.

On motion of Senator Raley, house bill No. 2 was made a special order of business at 10 o'clock a. m. tomorrow.

Senate bill No. 190 coming on for second reading, was read second time.

Senate bill No. 190 was referred to the committee on education.

Senate bill No. 191 coming on for second reading, was read second time.

Senate bill No. 191 was referred to the committee on judiciary.

Senate bill No. 193 coming on for second reading, Senator Gesner moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Butler, Denny, Gesner, Huston, Patterson, Price, Smith of Sherman, and Steiwer—8.

So the rules were suspended and senate bill No. 193 was read second time by title only.

Senate bill No. 193 was referred to the committee on public buildings.

Senate bill No. 194 coming on for second reading, was read second time.

Senate bill No. 194 was referred to the committee on assessment and taxation.

Senate bill No. 195 coming on for second reading, was read second time.

Senate bill No. 195 was referred to the committee on revision of laws.

Senate bill No. 167 coming on for second reading, was read second time.

On motion of Senator Dawson, senate bill No. 167 was referred to the committee on claims, with leave to report at any time.

Senate bill No. 197 coming on for second reading, was read second time.

Senate bill No. 197 was referred to the committee on agriculture and forestry.

Senate bill No. 198 coming on for second reading, was read second time.

Senate bill No. 198 was referred to the committee on revision of laws.

Senate bill No. 199 coming on for second reading, was read second time.

On motion of Senator Butler, senate bill No. 199 was referred to the committee on revision of laws.

On motion of Senator King, the courtesies of the senate were extended to Hon. Nathan Pierce, and he was invited to a seat within the bar.

Senate bill No. 202 coming on for second reading, was read second time.

On motion of Senator Smith of Clatsop, senate bill No. 202 was referred to the committee on counties, with leave to report at any time.

Senate bill No. 203 coming on for second reading, was read second time.

Senate bill No. 203 was referred to the committee on revision of laws.

Senator Raley moved that the senate do now adjourn.

The motion failed.

Senate bill No. 204 coming on for second reading, was read second time.

Senate bill No. 204 was referred to the committee on assessment and taxation.

Senate bill No. 205 coming on for second reading, was read second time.

Senate bill No. 205 was referred to the committee on railroads.

Senate bill No. 34 coming on for second reading, Senator Steiwer moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Denny, Maxwell, Patterson, Price, and Raley—5.

So the rules were suspended and senate bill No. 34 was read second time by title only.

Senator Steiwer moved that the rules be further suspended and that senate bill No. 34 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Brownell, Butler, Carter, Denny, Gesner, Maxwell, Patterson, and Price—8.

So the rules were suspended and senate bill No. 34 was read third time and placed on final passage.

On motion of Senator Butler, senate bill No. 34 was made a special order of business at 10 o'clock a. m. tomorrow.

Senate bill No. 207 coming on for second reading, was read second time.

Senator Cogswell moved that the rules be suspended and that senate bill No. 207 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, McClung, McGinn, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Denny, Johnson, Maxwell, Patterson, Price, and Raley—7.

So the rules were suspended and senate bill No. 207 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Butler, Denny, Price, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 208 coming on for second reading, was read second time.

Senate bill No. 208 was referred to the committee on judiciary.

Senate bill No. 209 coming on for second reading, was read second time.

Senate bill No. 209 was referred to the committee on claims.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 27, 19, and 139, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bill No. 211 coming on for second reading, Senator Alley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Denny, Raley, Smith of Sherman, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 211 was read second time by title only.

On motion of Senator Alley, senate bill No. 211 was referred to a special committee, consisting of the senators from Lane county.

Senate bill No. 212 coming on for second reading, was read second time.

On motion of Senator McGinn, senate bill No. 212 was referred to the committee on revision of laws, with leave to report at any time.

Senator McGinn moved that the senate do now adjourn.

The motion failed.

Senate bill No. 213 coming on for second reading, was read second time.

On motion of Senator Dawson, senate bill No. 213 was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 214 coming on for second reading, was read second time.

On motion of Senator Smith of Clatsop, senate bill No. 214 was referred to the committee on assessment and taxation, with leave to report at any time.

Senate bill No. 215 coming on for second reading, was read second time.

On motion of Senator Vanderburg, senate bill No. 215 was ordered engrossed and to third reading.

Senator Vanderburg moved that the rules be suspended and that senate bill No. 215 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Alley, Dawson, Denny, Huston, McGinn, Price, and Raley—7.

So the rules were suspended and senate bill No. 215 was read third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Cogswell, Dawson, Denny, McGinn, Price, and Raley—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cogswell, the senate adjourned until 10 o'clock a. m. tomorrow.

WALTER SINCLAIR,  
Chief clerk.

FRIDAY, FEBRUARY 15, 1895.

MORNING SESSION.

SENATE CHAMBER,	}
SALEM, Oregon,	
February 15, 1895.	

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

The morning session of the senate was opened with prayer by Rev. M. L. Rugg.

On motion of Senator Alley, the reading of the journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,	}
SALEM, Oregon,	
February 14, 1895.	

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 364,—a bill for an act entitled an act to amend sections 2, 16 and subdivision 2 of section 24 of an act entitled an act to incorporate the town of Burns, filed in the office of the secretary of state February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senator Gowan moved that the rules be suspended and that house bill No. 364 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Gesner, McGinn, and Price—3.

So the rules were suspended and house bill No. 364 was read first time by title only and passed to second reading.

Senator Gowan moved that the rules be further suspended and that house bill No. 364 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Cogswell, McGinn, and Price—3.

So the rules were suspended and house bill No. 364 was read second time by title only.

Senator Gowan moved that the rules be further suspended and that house bill No. 364 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—Senator Raley—1.

Absent—Senator Gesner—1.

So the rules were suspended and house bill No. 364 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Cogswell and Price—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Butler, senate bill No. 232 was made a special order of business at 3 o'clock p. m. today.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 135.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 14, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 8, relating to the protection of the eggs of wild fowl in the breeding grounds in the territory of Alaska.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE JOINT MEMORIAL NO. 8.

*To the Honorable the Senate and House of Representatives of the United States in Congress assembled:* Whereas the source of supply of the wild fowl, such as ducks, geese, and swan, found at certain seasons of the year in the states of Oregon, Washington, Idaho, Nevada, California, and other Pacific states, is from the great breeding grounds situated in the territory of Alaska, at the mouth of the Yukon and Copper rivers, and at or near St. Michaels, and on the mainland at or nearly opposite Kodiak island and other points; and whereas the eggs of these wild fowl are being gathered and destroyed by companies engaged in the production of albumen, neither producing to our government any revenue, from a commercial standpoint, nor leaving the eggs to hatch and replenish the game supply of the Pacific states, which is fast being depleted under these adverse conditions; and whereas the Hon. John H. Mitchell, United States senator for Oregon, has offered an amendment to the sundry civil appropriation bill, providing for an investigation of this matter, the legislative assembly of the state of Oregon, recognizing the importance of this matter to the Pacific states, does hereby petition your

honorable body that the investigation proposed be made at as early a date as possible, and that legislation to that end meet your favorable consideration.

And in duty bound your petitioners will ever pray.

House joint memorial No. 8 was referred to the committee on federal relations.

Senator McGinn moved to reconsider the vote by which senate bill No. 206 was passed.

Senator Butler moved to indefinitely postpone the motion to reconsider the vote by which senate bill No. 206 was passed.

The motion to indefinitely postpone prevailed.

House bill No. 2 having been heretofore made a special order of business for this hour, was now considered.

On motion of Senator Steiwer, the amendments offered to house bill No. 2, on yesterday, were withdrawn.

Senator Steiwer proposed the following amendments to house bill No. 2:—

AMENDMENT.

In lines eight and nine, engrossed bill, strike out the words "three hundred dollars," and insert the words "seventy-five dollars per month."

AMENDMENT.

In the last line of section 10, engrossed bill, strike out the words "so as to read as follows."

AMENDMENT.

In lines four and five, section 13, engrossed bill, strike out the words "six thousand dollars," and insert the words "four thousand and five hundred dollars."

AMENDMENT.

In line seven of same section, engrossed bill, strike out the words "six thousand dollars," and insert the words "four thousand five hundred dollars."

Senator Steiwer moved the adoption of the amendments to house bill No. 2.

Senator McClung moved to amend the amendments by striking out the words "four thousand five hundred dollars," and substituting in lieu thereof the words "three thousand five hundred dollars."

Senator McGinn moved the previous question.

The motion prevailed.

Senators Raley and McAlister demanded the ayes and nays on the motion to amend the amendments.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Hobson, Holt, Johnson, McClung, Smith of Sherman, Smith of Clatsop, and Vanderburg—15.

Nays—Senators Bancroft, Brownell, Gesner, Gowan, Huston, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—15.

So the amendment to the amendment was lost.

The vote coming upon the motion to adopt the amendments, Senators Alley and Cogswell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—Senator McClung—1.

So the amendments were adopted.

Senator Steiwer moved that the rules be suspended and that house bill No. 2 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—Senators Johnson and McClung—2.

So the rules were suspended and house bill No. 2 was read third time and placed on final passage.

Senator Price moved the previous question.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Hobson, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—21.

Nays—Senators Beckley, Carter, Holt, Huston, Johnson, McClung, and Vanderburg—7.

Absent—Senators Brownell and Dawson—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Steiwer moved that the rules be suspended and that house bill No. 64 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, McAlister, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—Senators Cogswell and Raley—2.

Absent—Senators Alley, Gowan, King, Maxwell, and Smith of Sherman—5.

So the rules were suspended and house bill No. 64 was read first time by title only and passed to second reading.

Senator Steiwer moved that the rules be further suspended and that house bill No. 64 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senators Cogswell and Raley—2.

Absent—Senators Alley, Brownell, and Patterson—3.

So the rules were suspended and house bill No. 64 was read second time by title only.

Senator Steiwer moved that the rules be further suspended and that house bill No. 64 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McGinn, Price, Smith of Clatsop, Steiwer, Woodard, and Mr. President—20.

Nays—Senators Cogswell, McClung, and Raley—3.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Patterson, Smith of Sherman, and Vanderburg—7.

So the rules were suspended and house bill No. 64 was read third time.

Pending the consideration of house bill No. 64, the hour having arrived for the meeting of the senate and house of repre-

sentatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 15, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Rinearson and Smith of Clackamas, who were announced as being paired on the vote for United States senator.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Burke, Cooper, Gates, Johnson, Keyt, Lester, Lyle, Scott, Tigard, and Wright—10.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker, Boothby, Cole, Coon, Curtis, Davis, Guild, Gurdane, Hofer, Hope, and Patterson of Grant—12.

Those voting for Hon. Wm. P. Lord were: Messrs. Barkley, Craig, Dunn, Hillegas, McClung, Smith of Linn, and Yates—7.

Total number of votes cast—88.

Absent and paired—2.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Brownell, the joint convention adjourned.

#### IN THE SENATE.

The senate was called to order at 12:25 o'clock p. m. by the president.

On motion of Senator Huston, the senate adjourned until 2:30 o'clock p. m.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present.

The senate having under consideration at the time of adjournment house bill No. 64, the same was considered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—Senator Raley—1.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bills Nos. 135 and 156, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 169 and 184, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 43,—a bill for an act to make and maintain footpaths for pedestrians upon the public highways in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 321,—a bill for an act to provide for the employment of convicts in the penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 309,—a bill for an act to amend sections 2580, 2582, 2584, 2585, and 2590 of Hill's annotated laws of Oregon, relating to the granting of certificates to teachers.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 2.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 7, relating to the repeal of the "timber culture laws and for other purposes," applicable to Klamath county.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 7.

*To the Congress of the United States:* Your memorialist, the legislative assembly of the state of Oregon, would respectfully represent that,—Whereas, by an act of congress, approved March third, in the year of our Lord one thousand eight hundred and ninety-one, entitled "An act to repeal timber culture laws, and for other purposes," that the president of the United States may, from time



to time, set apart and reserve, in any state or territory having public lands bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the president shall, by public proclamation, declare the establishment of such reservation and the limits thereof; and whereas the president of the United States did, on the twenty-eighth day of September, in the year of our Lord one thousand eight hundred and ninety-three, in accordance with the powers conferred upon him by virtue of said act of congress above set forth, reserve, set apart, create and establish certain lands within the state of Oregon, to wit: The lands known as "The Cascade forestry reserve," as a public reservation, the same being exempt from sale, settlement or homestead, as stated in the proclamation of the president; therefore, we respectfully represent to the honorable senate and house of representatives in congress assembled, that—*First*, the sole object for the creation of said reserve was for a protection of the Cascade watershed; *second*, that that portion of said "Cascade forestry reserve" south of township thirty-two (32) south, Willamette meridian, in Klamath county, Oregon, is absolutely unnecessary for the protection of said watershed, as much of it consists of swamp and agricultural lands lying along the Upper Klamath lake; *third*, that a large portion of Klamath county, Oregon, is now included in the Klamath Indian reservation and exempt from settlement; *fourth*, that by including such large portions of Klamath county within these reservations, great hardship has been inflicted upon the people of said county, and deters others from settling within its borders, by reason of the limited area of agricultural lands subject to settlement, homestead, and purchase; *fifth*, that said Klamath county is a new country and the people living within its limits are subject to heavy burdens, by reason of the necessary taxation levied to build bridges, roads and improve the public highways and other expenses common to a new country, and this burden is still further increased by reserving large areas of taxable lands from bearing any portion of such public expenses; therefore,

*Resolved by the House, the Senate concurring*, That our senators and representatives are hereby requested to use all honorable means to persuade the president to throw open for sale, purchase, settlement, and homestead all that portion of said "Cascade forestry reserve" lying, being and situate south of township thirty-two (32) south, Willamette meridian, in Klamath county, Oregon, which said portion is more fully shown by maps hereto attached and made a part of this resolution.

And your memorialists will ever pray.

On motion of Senator Cogswell, house joint memorial No. 7 was referred to the committee on judiciary.

Senate bill No. 216 coming on for second reading, was read second time.

Senate bill No. 216 was referred to the committee on judiciary.

Senate bill No. 217 coming on for second reading, was read second time.

Senate bill No. 217 was referred to the committee on judiciary.

Senate bill No. 218 coming on for second reading, was read second time.

Senate bill No. 218 was referred to the committee on judiciary.

Senate bill No. 219 coming on for second reading, was read second time.

Senate bill No. 219 was referred to the committee on education.

Senate bill No. 221 coming on for second reading, was read second time.

Senate bill No. 221 was referred to the committee on judiciary.

Senate bill No. 225 coming on for second reading, was read second time.

Senate bill No. 225 was referred to the committee on privileges and elections.

Senate bill No. 226 coming on for second reading, was read second time.

Senate bill No. 226 was referred to the committee on privileges and elections.

Senate bill No. 227 coming on for second reading, was read second time.

Senate bill No. 227 was referred to the committee on judiciary.

Senator Steiwer, chairman of the committee on public lands, to whom was referred senate bill No. 188, returned the same to the senate for the purpose of re-reference.

Senate bill No. 188 was referred to the committee on assessment and taxation.

Senate bill No. 232 having been heretofore made a special order of business for this hour the same was considered.

On motion of Senator McGinn, senate bill No. 232 was ordered engrossed and to third reading tomorrow.

Senator Price moved that the rules be suspended and house bill No. 136 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer,

Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Gesner—1.

So the rules were suspended and senate bill No. 232 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Butler, Carter, Cogswell, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Sherman, and Vanderburg—12.

Nays—Senators Bancroft, Brownell, Beckley, Dawson, Denny, Gowan, Hobson, Maxwell, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—16.

Absent—Senators Calbreath and Gesner—2.

So the bill failed to passed.

Senator Vanderburg moved to take from the table senate bill No. 58.

Senators Vanderburg and Huston demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Sherman, Smith of Clatsop, and Vanderburg—19.

Nays—Senators Bancroft, Denny, Maxwell, McGinn, Patterson, Steiwer, Woodard, and Mr. President—8.

Absent—Senators Gesner, Price, and Raley—3.

The motion prevailed.

Senator Cogswell moved the adoption of the amendments, as reported by the majority of the committee on judiciary.

Senator Patterson moved that the senate do now adjourn.

The motion was lost.

Further consideration of senate bill No. 58.

Senator Dawson moved that the senate do now adjourn.

Senators King and Vanderburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Hobson, Johnson, and Patterson—11.

Nays—Senators Bancroft, Brownell, Cogswell, Gowan, Holt, Huston, King, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—18.

Absent—Senator Maxwell—1.

The motion failed.

Senator Alley moved a called of the senate.

The roll was called and those present were:

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—30.

On motion of Senator Alley, further proceedings under the call of the senate was dispensed with.

Senator Smith of Clatsop moved the previous question.

The motion prevailed.

Senators Cogswell and Vanderburg demanded the ayes and nays.

The question being, "Shall the amendments as reported by the majority of the committee on judiciary to senate bill No. 58 be adopted?" On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, McAlister, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—15.

Nays—Senators Alley, Bancroft, Butler, Calbreath, Carter, Denny, Hobson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—15.

So the senate refused to adopt the amendments.

Senator Denny moved that further consideration of senate bill No. 58 be indefinitely postponed.

Senators Vanderburg and King demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Denny, Gesner, Hobson, Maxwell, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—15.

Nays—Senators Beckley, Brownell, Butler, Cogswell, Gowan, Holt, Huston, Johnson, King, McAlister, Raley, Smith of Sherman, Smith of Clatsop, and Vanderburg—14.

Absent—Senator Dawson—1.

So further consideration of senate bill No. 58 was indefinitely postponed.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred house bill No. 360, beg leave

to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Add to the title of the bill the following: "and to authorize, empower, and direct the bridge commission of the city of Portland to turn over, surrender, and deliver to the county court of Multnomah county all the bridges, ferries, and property under the control and supervision of the said bridge commission, and requiring said county court of Multnomah county to assume the management, control, and supervision thereof, and to authorize, in certain cases, the fixing of tolls on traffic over the bridges and ferries to be acquired and bridges and ferries now and heretofore owned and operated by the city of Portland, and to repeal an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways," filed in the office of the secretary of state February 18, 1891, and to repeal an act entitled "An act to authorize the bridge committee and the bridge commission, created and provided for in the act filed in the office of the secretary of state February 18, 1891, entitled 'An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways,' and to acquire, establish, and operate a free ferry," filed in the office of the secretary of state February 22, 1893.

AMENDMENT.

Strike out the word "committeemen" in the first line of page 2 of the bill, and insert in lieu thereof the word "committee."

AMENDMENT.

Insert after section 2 of the bill a new section, to be numbered section 3, as follows:

Section 3. The bonds herein provided for and authorized to

be issued, shall be advertised and sold to the highest responsible bidder. The said bridge committee, created by this act, may reject any and all bids tendered for said bonds, and proceed to re-advertise the same when the bids are unsatisfactory.

**AMENDMENT.**

Change the number of section "3" to section "4."

**AMENDMENT.**

Change the number of section "4" to section "5."

**AMENDMENT.**

Change the number of section "5" to section "6."

**AMENDMENT.**

Change the number of section "6" to section "7."

**AMENDMENT.**

Change the number of section "7" to section "8."

**AMENDMENT.**

Change the number of section "8" to section "9."

**AMENDMENT.**

Change the number of section "9" to section "10."

**AMENDMENT.**

Change the number of section "10" to section "11."

**AMENDMENT.**

Change the number of section "11" to section "12."

**AMENDMENT.**

Change the number of section "12" to section "13."

**AMENDMENT.**

Add to section 12 the following: "The committee may adopt

such rules, regulations, and bylaws as it may deem best for its government and the transaction of its business."

AMENDMENT.

Change the number of section "13" to section "14."

AMENDMENT.

Change the number of section "14" to section "15."

AMENDMENT.

Strike out all of section 14 after the word "ferry" in the seventh line of said section.

AMENDMENT.

Strike out from section 15 the words "present bridge commission of the city of Portland or to whatever authority may be designated by law to take charge of and operate the free bridges and ferries of the city of Portland, who are," (being in the fourth, fifth, sixth, and seventh lines of said section 15,) and insert in lieu thereof the following: "the county court of Multnomah county, which is."

AMENDMENT.

Also add to section 15 the following: "and which free bridges and ferries now, heretofore, and hereafter belonging to said city of Portland, are by this act placed under the jurisdiction and control of the said county court of Multnomah county."

AMENDMENT.

Change the number of section "15" to section "16."

AMENDMENT.

Strike out all of section 16.

AMENDMENT.

Strike out all of section 18 after the word "act" in the second line thereof, and insert in lieu thereof the following: "and shall have rendered an account in writing of its proceedings under this act to the mayor and common council of the said city of Portland, and shall have filed a duplicate thereof with the county



court of Multnomah county, and shall have accounted for all property coming into its hands as such bridge committee and filed with the clerk of the county court of Multnomah county, all of its records, books, contracts, and papers. All unexpended money shall become a part of the bridge fund of the said county of Multnomah, and shall be paid over to the county treasurer of said county, to be held by him as in this act prescribed."

#### AMENDMENT.

Make section 19 the last section of the bill, and change the number thereof to section 35.

#### AMENDMENT.

Add to the bill the following sections to be designated and numbered respectively: Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, to wit:

Section 19. At the election for school director of school district No. 1, Multnomah county, Oregon, next immediately following the going into effect of this act, there shall be submitted to the legal voters of such district for school director, at such election, the question as to whether tolls shall be charged for vehicles crossing and going over the said bridges and ferry now owned by said city, and the bridges and ferry to be acquired hereunder, if the same shall be acquired.

Section 20. It shall be the duty of the clerk of the county court to provide suitable ballots for such election. Said ballots shall be printed in the following form: Tolls on vehicles crossing city bridges and ferries now owned and hereafter to be acquired, not to exceed five cents for vehicles drawn by one animal, and ten cents for vehicles drawn by more than one animal, per single trip, and horses and cattle two cents each, Yes—No.

Section 21. The intention of the voter shall be expressed, if he votes in the affirmative, by canceling the word "No," and if he votes in the negative, by canceling the word "Yes."

Section 22. It shall be unlawful for any person to vote upon said proposition who does not possess the qualifications of a legal voter for school director at such election in said school district.

Section 23. It shall be the duty of the said clerk of the county court immediately upon the passage of this act, to prepare the necessary ballots aforesaid, and to cause the same to be distributed at the various polling places before the opening of the polls for such election; and provide a separate ballot-box wherein the same shall be deposited by the judges of said election upon receiving the same from the voters. All expense incurred in



preparing such ballots and ballot-boxes, and in distributing the same, shall be paid out of the general fund of Multnomah county.

Section 24. It shall be the duty of the judges and clerks appointed to be judges and clerks of such school election to also act as judges and clerks of the special election to determine the questions herein appointed, and the said ballots and ballot-boxes shall be returned and canvassed to and by the same persons who are by law required to canvass the returns, and determine the matter of the election of a school director.

Section 25. Any person who shall falsify said return, or do any act which may result in the passing of any illegal or unlawful ballot, or who shall vote upon said questions, without possessing the qualifications herein prescribed, shall, upon conviction thereof, be punished by imprisonment in the penitentiary for a period of not less than one year, nor more than two years, or by a fine not less than five hundred nor more than one thousand dollars.

Section 26. In the event that the majority of the votes cast by the said qualified voters of said school district are cast for the charging of tolls on the bridges and ferries now owned by the city of Portland, it shall be the duty of the county court of Multnomah county whenever the bridges and ferries owned and acquired heretofore by the city of Portland, as well as the bridges and ferry which may be owned and acquired under the provisions of this act, shall be turned over and transferred to the control and authority of said county court, as in this act provided, to estimate the amount of money which will be required for the maintenance, repair, and operation of all such bridges and ferries, and said county court shall fix a rate or rates of toll thereupon for vehicles not to exceed five cents a single trip for vehicles drawn by one animal, and not to exceed ten cents, a single trip, upon vehicles drawn by more than one animal, and not to exceed two cents each for horses and cattle, and the money derived from said tolls shall be used to defray the expenses of maintaining, operating, and repairing said bridges and ferries. Whenever, in the judgment of said county court, the amount to be raised from said tolls will not be sufficient to defray the expense of operating, maintaining, and repairing said bridges and ferries, the said county court shall provide a sum to be raised by taxation in addition to the amount so to be raised from said tolls, sufficient to make up the deficiency.

Section 27. As soon as this act shall take effect the bridge commission selected under the provisions of the act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire, by condemnation or other

means, one or more bridges across the Willamette river between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and "traffic, except railways and street railways," filed in the office of the secretary of state February 18, 1891, shall relinquish all authority and right in and over, and shall transfer and deliver to the county court of the state of Oregon, for the county of Multnomah, the complete possession and control of all the bridges and ferries now owned and operated by the city of Portland, and over which said bridge commission has any power or authority, and from and after the taking effect of this act the said county court of Multnomah county shall assume and take complete possession and control of all the bridges and ferries now owned and operated by the said city of Portland, or which may be acquired under the provisions of this act, and said county court of Multnomah county shall maintain and operate the same and shall have the power and authority,—

1. To employ, hire, and discharge from time to time all such agents, workmen, laborers, and servants as it may deem necessary in the conduct and management of said bridges and ferries, and the bridges and ferry acquired under this act.

2. To make all needful rules and regulations for the conduct, management, and use of the same by said city, the inhabitants thereof, and the public in general.

3. To establish rates for the use thereof by the street railway companies, and other companies and corporations not entitled to the free use of the same, and also to establish rates of toll for the use thereof by vehicles, not to exceed five cents on vehicles drawn by one animal, and ten cents on all other vehicles, per single trip, and two cents each for horses and cattle, if authorized so to do by a vote of the taxpayers of said city, as herein provided.

4. To pay the interest on the bonds heretofore issued under the acts herein repealed, and also on any bonds which may be issued under this act as fast as the same shall become due and payable, and the said county court of Multnomah county is hereby directed to make provision for and pay such interest.

5. To do any other acts or make any other regulations necessary for the conduct of its business, and the due execution of the powers and authority given by this act and not contrary to law.

Section 28. The county court of Multnomah county shall annually levy a tax upon all the taxable property within the county of Multnomah sufficient, after deducting any revenues received from rentals and tolls upon such vehicles, if any such be collected, to pay the interest accrued and to accrue upon the bonds hereby authorized to be issued and all bonds heretofore authorized to be

issued for the purchase, construction, and acquisition of bridges and ferries by the city of Portland, and to maintain and keep in good condition and repair during the ensuing year all the bridges and ferries now owned or acquired by the city of Portland, and the bridges and ferries to be leased, acquired, and established as in this act contemplated, and to pay the annual rental for the upper deck of the steel bridge; which tax shall be levied and collected in manner and form as other taxes are levied and collected by Multnomah county. After the expiration of ten years from the time of the passage of this act, in addition to the sum in this act provided to be levied and collected annually for payment of interest, maintenance, operation, repairs, and rentals, there shall be levied and collected annually by the county court of Multnomah county, a tax equal in amount to one twentieth part of the bonds then outstanding and issued for the purchase, construction, and acquisition of bridges and ferries by the city of Portland; and such levy and collection to be apportioned, made, and collected in like manner as other taxes by law are required to be levied and collected; which fund so raised shall be used as a sinking fund for the purpose of paying off and retiring the bonds issued for the purchase, construction, and acquisition of said bridges and ferries.

Section 29. All moneys collected for tolls, rentals from street railways, or otherwise for the use of said bridges and ferries, as well as other earnings derived therefrom, shall be paid to the county treasurer of Multnomah county, who shall have the care and custody of such moneys, and which shall be known as the bridge fund, and the moneys in said fund shall only be paid out under the direction and by authority of the said county court of Multnomah county. The county treasurer of Multnomah county shall, from time to time, whenever and as required by the county court of said county, give an additional bond or undertaking in such amount or amounts as said county court may require, to be approved by said court, for the safe keeping and accounting for of all moneys coming into his hands by virtue of this act.

Section 30. The bonds of the city of Portland heretofore issued to the extent of five hundred and fifty thousand dollars for the purchase, construction, and acquisition of free bridges and ferries, as well as the bonds to be issued under the provisions of this act, to the extent of two hundred thousand dollars, are hereby validated, and confirmed as existing, valid and binding obligations of the city of Portland, and said city of Portland is hereby directed and required to pay as the same matures the half-yearly interest on all said bonds, as evidenced by the coupons attached thereto, but only in the event that the county court of Multnomah county fails, neglects, or does not provide for

the prompt payment thereof as by this act said county court of Multnomah county is required to do, and at the maturity of the said bonds the said city of Portland is required and directed to pay the sum named therein to the holders thereof, unless the same shall be paid off and retired as provided for in section 28 of this act.

Section 31. The county court of Multnomah county shall establish and maintain a ferry across the Willamette river at some suitable point in what was formerly known as Sellwood, and now is a part of the consolidated city of Portland, on the east bank of said river, to a point opposite thereto on the west bank of said river, and shall cause to be used such of the ferry-boats as may be acquired by the said county court of Multnomah county, under the provisions of this act; *provided*, the cost of maintenance of such ferry shall not exceed the sum of two thousand four hundred dollars per annum.

Section 32. The bridge commission of the city of Portland, mentioned in this act, and all its officers and agents, are hereby authorized, empowered, and directed to turn over and deliver to the county court of Multnomah county, all and singular, the bridges, ferries, and property of every kind under their control and supervision, and also all moneys, books, papers, records, plans, specifications, contracts, rights, privileges, and property of every description and nature belonging to the same, or connected therewith, or in the possession or under the control of said bridge commission.

Section 33. All just claims, demands, and liabilities against said bridge commission for maintaining and operating free bridges and ferries remaining unpaid, and existing at the time this act goes into effect, shall be presented to the county court of Multnomah county, and shall be audited and allowed when found correct and just, and paid and discharged by said county court of Multnomah county.

Section 34. That an act entitled "An act to authorize the cities of Portland, East Portland, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river, between the city of Portland and the city of East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways," filed in the office of the secretary of state February 18, 1891; and also an act entitled "An act to authorize the bridge committee and bridge commission, created and provided for in the act filed in the office of the secretary of state February 18, 1891, entitled 'An act to authorize the cities of Portland, East

Portland, and Albina to construct, purchase, or acquire, by condemnation or other means, one or more bridges across the Willamette river, between the cities of Portland and East Portland, in Multnomah county, Oregon, which bridge or bridges shall be free to all pedestrians and all classes of vehicles and traffic, except railways and street railways, and to acquire, establish, and operate a free ferry," filed in the office of the secretary of state February 22, 1893, and all acts and parts of acts in conflict herewith are hereby repealed.

Section 35. That inasmuch as there is great public need for free transportation between the central portions of the said city across the Willamette river, and of making said Morrison-street bridge and said Stark-street ferry, and the upper deck of said steel bridge free, and the public interest and convenience will be promoted by immediately acquiring the same for public use, either by purchase, lease, or condemnation, as hereinbefore set out, an emergency exists, and this act shall take effect and be in force from and after its approval by the governor.

F. A. BANCROFT,  
Chairman.

On motion of Senator Bancroft, the amendments were adopted.

Senator Bancroft moved that the rules be suspended and that house bill No. 360 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Butler, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, and Mr. President—21.

Nays—Senators Cogswell, Holt, Vanderburg, and Woodard—4.

Absent—Senators Alley, Brownell, Calbreath, McAlister, and Smith of Sherman—5.

So the rules were suspended, and pending further consideration of house bill No. 360, the senate adjourned at 5 o'clock p. m. on motion of Senator Maxwell.

WALTER SINCLAIR,  
Chief clerk.

SATURDAY, FEBRUARY 16, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Alley and Smith of Clatsop, who were absent on leave.

The morning session of the senate was opened with prayer by Rev. Laurence Sinclair.

On motion of Senator McGinn, the reading of the journal of the proceedings of yesterday was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 196 and 229, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

The senate at time of adjournment on yesterday had under consideration house bill No. 360, and the same was considered at this hour.

House bill No. 360 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Carter, Dawson, Denny, Gesner, Gowan, Johnson, King, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Woodward and Mr. President—21.

Nays—Senators Holt, McAlister, and Vanderburg—3.

Absent—Senators Alley, Calbreath, Cogswell, Hobson, Huston, and Smith of Clatsop—6.

So the bill passed.



There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson moved that the rules be suspended and that senate bill No. 173 be read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Alley, Calbreath, King, McAlister, and Smith of Clatsop—5.

So the rules were suspended and senate bill No. 173 was read third time and placed on final passage.

On motion of Senator Patterson, senate bill No. 173 was laid on the table for the purpose of an examination of the provisions of the bill by the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 60.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 342,—a bill for an act to amend section 2328 of the miscellaneous laws of Oregon, as compiled to W. Lair Hill, relating to the times of holding the circuit court in the first judicial district.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 162.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 45.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 135 and 156, and house bill No. 358.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 135 and 156, and house bill No. 358, and soon thereafter declared that he had signed the same.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 14, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate



bill No. 191, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of said bill after the word "follows," in line two of section 1, and insert in lieu thereof the following: "Sec. 2456. There shall be elected at the next general election, and for every four years thereafter by the qualified electors of each county in this state, a county assessor, who shall hold office for the term of four years, and until his successor is elected and qualified; and there shall be elected at each general election a county treasurer and a county surveyor, who shall hold their offices for the term of two years and until their successors are elected and qualified; and at each general election one county commissioner shall be elected who shall hold his office for the term of four years and until his successor is elected and qualified, so that the term of office of one commissioner shall expire every two years.

O. N. DENNY,  
Chairman.

On motion of Senator Brownell, the amendments were adopted.  
On motion of Senator Brownell, senate bill No. 191 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

MAJORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, house bill No. 21 was ordered to third reading tomorrow.

MINORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

The undersigned of your committee on judiciary, to whom was referred house bill No. 21, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass, because the same is and would be unconstitutional.

S. B. HUSTON,  
C. A. COGSWELL,

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 213, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 2, section 6, line two of the printed bill, strike out the word "fifteenth," and insert in lieu thereof the word "first."

AMENDMENT.

On page 8, section 34, line one, strike out the words "and fish protector," and insert in lieu thereof the word "warden," and wherever else in said bill the title "game and fish protector" occurs strike such title out and insert in its place "game warden."

AMENDMENT.

On page 8, section 34, line three, strike out the words and figures "two thousand (2,000)" and insert in lieu thereof the words and figures "fifteen hundred (1,500)."

O. N. DENNY,  
Chairman.

On motion of Senator Dawson, the amendments were adopted.

On motion of Senator Dawson, senate bill No. 213 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house concurrent resolution No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted with the following amendment:

#### AMENDMENT.

That the said resolution be amended so as to read as follows:

*Resolved by the House, the Senate concurring,* That our senators and representatives in congress be requested to use all honest endeavors to secure the forfeiture of the unearned railroad land grants, and especially what is known as the "quadrant" in Washington, Columbia, and Tillamook counties of this state; and that a copy of this resolution be furnished to our senators and representatives in congress.

O. N. DENNY,  
Chairman.

On motion of Senator Huston, the amendment was adopted.

On motion of Senator Huston, the senate concurred in the adoption of house concurrent resolution No. 13.

Senator Gesner, chairman of the committee on public buildings submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1895. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 186, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of section "3" in printed bill, and change sections "4" and "5" to sections "3" and "4," respectively.

ALONZO GESNER.

Chairman.

On motion of Senator Gesner, the amendments were adopted.

On motion of Senator Gesner, senate bill No. 186 was ordered engrossed and to third reading tomorrow.

Senate bill No. 240. Senator Gesner. (By unanimous consent). A bill for an act to amend section 1 and to repeal sections 2, 3, 4, and 5 of an act entitled "An act to authorize and direct the governor, secretary of state, and state treasurer of the state of Oregon, as and composing the board of capitol building commissioners, to negotiate and procure the cancellation of the light contract with the Oregon Electric Light Company, so as to secure the restoration to the state of the water power, grounds, and buildings now occupied and used by said company under said contract, and the release of the state from the payments required by said contract, and to enter into a contract with the Salem Light and Power Company for the lighting of the state house and other state buildings and institutions at the state capital, and to appropriate money therefor.

Senator Gesner moved that the rules be suspended and that senate bill No. 240 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Alley, Bancroft, Brownell, Calbreath, Dawson, Huston, and Smith of Clatsop—7.

So the rules were suspended and senate bill No. 240 was read first time by title only and passed to second reading.

Senator Gesner moved that the rules be further suspended and that senate bill No. 240 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Bancroft, Calbreath, Dawson, Huston, and Smith of Clatsop—6.

So the rules were suspended and senate bill No. 240 was read second time by title only.

Senate bill No. 240 was referred to the committee on public buildings, with leave to report at any time.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint memorial No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

O. N. DENNY,  
Chairman.

Senator Denny moved that the senate do concur in the adoption of house joint memorial No. 7.

Senator Cogswell moved that house joint memorial No. 7 be referred to the committee on judiciary.

The motion prevailed.

Senator Vandenburg submitted a petition praying for the enactment of a law prohibiting the manufacture or sale of cigarettes to youth within the state of Oregon.

The petition was referred to the committee on education.

On motion of Senator Raley, the committee on medicine, pharmacy, and dentistry were asked to report upon senate bill No. 201.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon.  
February 16, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred senate bill No. 201, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 1 change section 1 to read as follows: "Section 1. The governor shall appoint five persons from among the most competent physicians of the state, all of whom shall have been residents of the state for seven years, and of at least five years practical experience in their profession, who shall be known as the board of examiners for the state of Oregon. Three of the board shall be regulars, one eclectic, and one homeopathist, one of whom shall hold his office for five years, one for four years, and one for three years, and one for two years, and one for one year, and each until his successor shall be appointed and qualified, and each year thereafter another commissioner shall be appointed for five years, and until a successor be appointed and qualified. If a vacancy occur in said board another shall be appointed as aforesaid to fill the unexpired term thereof."

AMENDMENT.

On page 2, printed copy, also strike out the words "hold alternately in western and" in line nine; also all of line ten, and all of line eleven excepting "held at Portland, Oregon."

AMENDMENT.

Strike out all of section 9 on page 6 of printed copy.

J. F. CALBREATH,  
Chairman.

On motion of Senator Raley, the amendments were adopted.

On motion of Senator Raley, senate bill No. 201 was ordered engrossed and to third reading tomorrow.

Senator King moved that the rules be suspended and that senate bill No. 229 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Brownell, Gesner, and Smith of Clatsop—4.

So the rules were suspended and senate bill No. 201 was read third time and placed on final passage.

Senator Gowan moved the previous question.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Calbreath, Maxwell, and Smith of Clatsop—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 155,—a bill for an act to provide for the protection of elk, moose, deer, mountain sheep, and to absolutely prohibit the sale at any and all times of the flesh, carcass, skin, hide, horns, or antlers of any elk, moose, deer, or mountain sheep within the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 294,—a bill for an act providing for the protection of grouse, quail, ringnecked or China pheasant, silver pheasant, golden pheasant, copper pheasant, green Japanese pheasant, bobwhite and valley quail, within the state of Oregon.

**SATURDAY, FEBRUARY 16, 1895.**

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And the same is herewith transmitted to you for the consideration of the senate.

**R. E. MOODY,**  
Chief clerk.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 138,—a bill for an act to prescribe the fees of witnesses in Marion county.

And the same is herewith transmitted to you for the consideration of the senate.

**R. E. MOODY,**  
Chief clerk.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendment to house bill No. 360.

**R. E. MOODY,**  
Chief clerk.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 9, providing that annual labor required on mining claims be suspended this year, and that mineral lands within railroad land grants be preserved for the public.

And the same is herewith transmitted to you for the consideration of the senate.

**R. E. MOODY,**  
Chief clerk.

**HOUSE JOINT MEMORIAL NO. 9.**

*To the Honorable Senate and House of Representatives of the United States of America in Congress assembled: We, your memorialists,*



ask that the annual labor required on mining claims be suspended for this year, and that mineral lands within railroad grants in Oregon be preserved for the public, and hope that immediate legislation will be had to these ends.

Senator McGinn moved that the senate join in the adoption of house joint memorial No. 9.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays--None.

Absent—Senators Alley, Raley, and Smith of Clatsop—3.

So the senate adopted house joint memorial No. 9.

On motion of Senator McGinn, the secretary of state was instructed to telegraph a copy of the memorial to our senators and representatives in congress.

Senate bill No. 126 coming on for third reading, Senator Calbreath moved that the vote by which the bill was ordered to third reading be reconsidered.

The motion prevailed.

On motion of Senator Calbreath, senate bill No. 126 was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 67 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Holt, King, Raley, Smith of Clatsop, and Vanderburg—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 62 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McGinn, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—19.

Nays—Senators Bancroft, Carter, Denny, McClung, and Raley—5.

Absent—Senators Alley, Beckley, Calbreath, Huston, King, and Smith of Clatsop—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 169 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Steiwer, Woodard, and Mr. President—21.

Nays—Senators Holt, Raley, and Vanderburg—3.

Absent—Senators Alley, Butler, Denny, King, Smith of Clatsop, and Smith of Sherman—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn moved that when the senate adjourns, it adjourns until Monday, the 18th instant at 11:55 o'clock a. m.

The motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 279,—a bill for an act to amend an act for the extirpation of the Canada thistle.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February 16, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bill: senate bill No. 156.

W. S. DUNIWAY,  
 Private secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house concurrent resolution No. 13.

R. E. MOODY,  
 Chief clerk.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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 JOINT CONVENTION.

The joint convention of February 16, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Alley, Calbreath, Carter, Smith of Clatsop, and Steiwer.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Conn, Cooper, Scott, Smith of Clackamas, Smith of Linn, Blundell, Boothby, Templeton, and Yates.

The following named gentlemen were announced as paired on the vote for United States senator: Alley with Calbreath, Steiwer with Smith of Clatsop, Carter with Cooper, Blundell with Yates, Boothby with Conn, Smith of Linn with Templeton, and Smith of Clackamas with Scott.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Bridges, Brownell, Calvert, Cardwell, Cleeton, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Stanley, Thompson, Woodard, Mr. Speaker, and Mr. President—35.

Those voting for Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, and Smith of Sherman—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Baker, Barkley, Burke, Cole, Coon, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Tigard, and Wright—24.

Total number of votes cast—76.

Absent and paired—14.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Mr. Bridges, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m. by the president.

On motion of Senator Raley, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

MONDAY, FEBRUARY 18, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

The senate was called to order at 11:55 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators McClung and Smith, Senator Smith being absent on leave.

On motion of Senator Maxwell, the reading of the journal of yesterday's proceedings was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 161 and 232, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

The hour having arrived for the meeting of the senate and house of representatives in joint convention, for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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JOINT CONVENTION.

The joint convention of February 18, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Carter, McClung, Smith of Clatsop, and Steiwer.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Cooper, Moorhead, Smith of Linn, and Templeton.

The following named gentlemen were announced as paired on the vote for United States senator: Carter with Cooper, Smith of Clatsop with Steiwer, Smith of Linn with Templeton, and McClung with Moorhead.

On motion of Senator Cogswell, the courtesies of the joint convention were extended to Senators Shaw and Dorr, of Washington, and they were invited to a seat within the bar.

There being no objection, the reading of the journal of the proceedings of the joint convention of Saturday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of Saturday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Thompson, Woodard, Mr. Speaker, and Mr. President—38.

Those voting for the Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, and Smith of Sherman—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, Patterson of Grant, Rinearson, Scott, Tigard, Wright, and Yates—27.

Total number of votes cast—82.

Absent and paired—8.

The president announced that as no person had received a majority of all the votes cast, there had been no election.

On motion of Mr. Rinearson, the joint convention adjourned.

## IN THE SENATE.

The senate was called to order at 12:20 o'clock p. m., pursuant to adjournment, by the president.

Senator Johnson moved that the senate do adjourn until 2:00 o'clock p. m.

Senator Huston moved to amend by substituting 2:30 o'clock p. m. instead of 2:00 o'clock p. m.

The motion to amend prevailed.

The motion as amended prevailed.

So the senate stood adjourned.

WALTER SINCLAIR,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 45, 60, and 162, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bills Nos. 186, 201, and 191, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 130 and 364.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 130 and 364, and soon thereafter declared that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has recalled house bill No. 342 from the senate. You will please, therefore, return the same to the house.

R. E. MOODY,  
Chief clerk.

On motion of Senator Dawson, the senate complied with the request and returned house bill No. 342.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 93,—a bill for an act providing for the election of stock inspector for Morrow county.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 165,—a bill for an act to define a general average loss, and to provide for the adjustment and settlement of the same.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 159,—a bill for an act to amend section 5 of house bill No. 115, (general laws of Oregon), 1893, entitled an act to distribute among the several counties within the state of Oregon all the money in the office of the state treasury derived from the five per centum of sale of the public lands within the state of Oregon under the act of congress, approved March 2, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 107,—a bill for an act to amend section 2 of an act to regulate the sale of spirituous, malt, and vinous liquors, and to prevent the sale thereof without having first obtained a license therefor, and to repeal all laws and parts of laws in conflict herewith.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

MONDAY, FEBRUARY 18, 1895.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 361,—a bill for an act to incorporate the city of Dayton, Yamhill county, Oregon, and to grant, designate, and define the powers thereof and to repeal an act entitled "An act to incorporate the town of Dayton, Oregon, approved October 15, 1880," and all acts and parts of acts in conflict herewith.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

SENATE RESOLUTION NO. 17.

Unanimous consent being first obtained, Senator Holt introduced senate concurrent resolution No. 17.

Whereas the action of the present legislature in furnishing the members of both houses with Hill's annotated laws of Oregon, and other books and articles, at the expense of the state, has been, and is at the present time being severely criticized by many public journals in the state; and whereas very many, if not all, of the principal newspapers of this state have heretofore published articles declaring that such action by the legislature was clearly unconstitutional; therefore, be it

*Resolved by the Senate, the House concurring,* That the Hon. C. M. Idleman, attorney-general of the state of Oregon, is hereby requested to transmit to the senate and house of representatives at no later date than 3 o'clock p. m. Thursday, February 21, 1895, an official opinion as to whether this legislature has constitutional authority to make appropriations of the public funds for such purposes or not.

Senator Holt moved the adoption of the resolution.

Senator Cogswell moved to refer senate concurrent resolution No. 17 to the committee on judiciary, with leave to report at any time.

The motion to refer prevailed.

Senate bill No. 241. Senator Price. (By unanimous consent.) A bill for an act entitled "An act to amend an act entitled 'An act to incorporate the city of Athena, in Umatilla county, state of Oregon, and to define the powers thereof,' and to repeal an act entitled 'An act to incorporate the city of Athena, in Umatilla county, Oregon, and to define the powers thereof,' filed in the office of the secretary of state February 18, 1891, as

amended by an act filed in the office of the secretary of state on the eighth day of February, 1893, entitled 'An act to amend an act entitled an act to incorporate the city of Athena, in Umatilla county, state of Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate the city of Athena, in Umatilla county, Oregon, and to define the powers thereof,' filed in the office of the secretary of state February 20, 1889."

Senator Price moved that the rules be suspended and that senate bill No. 241 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and King—2.

So the rules were suspended and senate bill No. 241 was read first time by title only and passed to second reading.

Senator Price moved that the rules be further suspended and that senate bill No. 241 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Huston, and King—3.

So the rules were suspended and senate bill No. 241 was read second time by title only.

On motion of Senator Price, senate bill No. 241 was considered engrossed and passed to third reading.

Senator Price moved that the rules be further suspended and that senate bill No. 241 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Bancroft, Huston, and King—3.

So the rules were suspended and senate bill No. 241 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Vanderburg—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being first obtained, Senator Brownell introduced senate resolution No. 15.

#### SENATE RESOLUTION NO. 15.

*Resolved*, That the president of the senate be directed to appoint a committee of two senators, whose duty it shall be, in connection with the chief clerk and such other help as the committee may deem necessary, to examine and correct every error that may appear on the journals of the senate, and the said committee shall then approve the same; and the said committee be allowed such time, not exceeding twenty days, as they may deem necessary to complete the records, and file all papers with the secretary of state, and their per diem shall be the same as that of the chief clerk.

Senator Brownell moved the adoption of the resolution.

Senator Bancroft moved to refer senate resolution No. 15 to the committee on ways and means.

The motion prevailed.

Unanimous consent being first obtained, Senator Gesner introduced senate resolution No. 16.

#### SENATE RESOLUTION NO. 16.

*Resolved*, That a special committee of three be appointed on per diem and mileage, to ascertain and report the days' attendance of each member of the senate and the number of miles traveled by each in going to and returning from the capitol of the state, and for committee work.

On motion of Senator Gesner, the resolution was adopted.

As committee under senate resolution No. 16, the president announced the appointment of Senators Gesner, Johnson, and Smith of Sherman.

On motion of Senator Raley, senate bill No. 201 was taken up and considered at this time.

Senate bill No. 201 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Brownell and McGinn—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 242. Senator Bancroft. (By unanimous consent). A bill for an act to provide that any judge of the circuit court for the county may act in the place of the county judge for said county in all probate proceedings, in the absence, sickness, or inability of such county judge to act.

Senate bill No. 242 was read first time and passed to second reading without question.

Senator Bancroft moved that the rules be suspended and that senate bill No. 242 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Gowan, Holt, Huston, McGinn, Raley, and Smith of Clatsop—9.

So the rules were suspended and senate bill No. 242 was read second time by title only.

On motion of Senator Bancroft, senate bill No. 242 was referred to the committee on judiciary, with leave to report at any time.

Senate bill No. 243. Senator Maxwell. (By unanimous consent). A bill for an act to repeal sections 2371 and 2372 of Hill's annotated laws of Oregon, relating to fees of county clerk and

county sheriff in the counties of Coos, Curry, Columbia, Josephine, Klamath, Lake, and Tillamook.

Senate bill No. 243 was read first time and passed to second reading without question.

Senator Maxwell moved that the rules be suspended and that senate bill No. 243 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Holt, Johnson, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Carter, Gowan, Hobson, Huston, King, McGinn, and Patterson—7.

So the rules were suspended and senate bill No. 243 was read second time by title only.

On motion of Senator Bancroft, senate bill No. 243 was considered engrossed and passed to third reading.

Senator Maxwell moved that the rules be further suspended and that senate bill No. 243 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Gowan, Huston, King, McGinn, Patterson, and Vanderburg—6.

So the rules were suspended and senate bill No. 243 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Huston, King, Patterson, Smith of Clatsop, and Vanderburg—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Carter, the vote by which senate bill No. 10 was ordered to third reading was reconsidered.

On motion of Senator Carter, senate bill No. 10 was referred to the committee on assessment and taxation, with instructions to report tomorrow.

Senate bill No. 70 coming on for third reading, was read third time.

Unanimous consent being given, Senator Cogswell amended line eleven in section 7 by prefixing the figure "7."

On motion of Senator Gowan, senate bill No. 70 was re-referred to the committee on military affairs, with instructions to amend the bill by striking out all of line four after the words "state of Oregon," and all of lines five, six, seven, and eight in section 79, with leave to report at any time.

Senator Beckley gave notice that he would on tomorrow move to reconsider the vote by which house bill No. 136 failed to pass.

Senator Alley, chairman of the committee on agriculture and forestry, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on agriculture and forestry, to whom was referred senate bill No. 197, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

B. F. ALLEY,  
Chairman.

On motion of Senator Patterson, senate bill No. 197 was ordered engrossed and to third reading tomorrow.

On motion of Senator Cogswell, senate bill No. 173 was taken from the table.

On motion of Senator Cogswell, the vote by which senate bill No. 173 was ordered to third reading was reconsidered.

Senator Cogswell submitted the following amendments to senate bill No. 173:

#### AMENDMENT.

After the enacting clause strike out all the remainder of said bill and insert in lieu thereof the following:

Section 1. That the governor is hereby authorized and empowered, and it is made his duty, to contract with and lease to



any person, firm, or corporation, upon such terms and for such time and compensation as he may deem advisable, the whole or any part of the labor of the convicts confined in the penitentiary of this state not otherwise employed, for the purpose of aiding in the manufacture of sugar and other saccharine products from beets and in the cultivation of beets to be used for such purpose, and to make use of such part of the state penitentiary buildings and lands as may not be already appropriated to other purposes for the same.

Section 2. The governor is also hereby authorized to contract with and lease to any person, firm, or corporation, upon such terms and for such time and compensation as he may deem advisable, the whole or any part of the labor of the convicts confined in the penitentiary of this state not required or employed in the manufacture of sugar and other saccharine products from beets or their cultivation.

Section 3. That said contracts and leases may be made for a period of time not exceeding ten years, and the state of Oregon shall receive at least thirty cents per day for each convict so employed, the payments to be made to the state treasurer at the end of every three months during such period. No convict shall be compelled to work while sick or otherwise incapacitated, and the superintendent or warden of the penitentiary shall have general charge and custody of the convicts while engaged in such labor.

Section 4. That the governor shall require from any person, firm, or corporation so contracting for or leasing, as hereinbefore provided, a bond to the state of Oregon, with one or more sureties, to be approved by the governor, in a penal sum which the governor shall deem sufficient, not exceeding fifty thousand dollars, conditioned that all sums of money which may become due to the state of Oregon by reason of this act will be paid, and that all other things therein provided for will be complied with.

Section 5. The governor shall have power to sue for and recover in the name of the state of Oregon, any sum or sums owing to the state for labor performed or any breach of the conditions of said bond.

On motion of Senator Patterson, the amendment was adopted.

On motion of Senator Patterson, senate bill No. 173 was ordered to third reading tomorrow.

On motion of Senator Gesner, senate bill No. 186 was considered at this time.

Senate bill No. 186 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath,



Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, McClung, Patterson, Steiwer, and Mr. President—19.

Nays—Senators Huston, King, McAlister, Price, Raley, Smith of Clatsop, Vanderburg, and Woodard—8.

Absent—Senators Maxwell, McGinn, and Smith of Sherman—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Smith of Clatsop moved that the rules be suspended and that house bill No. 142 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McClung, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Calbreath, Cogswell, and Huston—3.

So the rules were suspended and senate bill No. 142 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—28.

Nays—None.

Absent—Senators Huston and Woodard—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Vanderburg moved to take from the table senate bill No. 69.

The motion failed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 343,—a bill for an act to provide for the relocation of the county seat of Columbia county.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 23,—a bill for an act entitled an act to reimburse school district No. 73 of Jackson county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 229.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 45, 60, and 162.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 45, 60, and 162, and soon thereafter declared that he had signed the same.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February —, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bill: senate bill No. 135.

W. S. DUNIWAY,  
 Private secretary.

On motion of Senator Johnson, senate resolution No. 14 was taken from the table.

On motion of Senator Johnson, senate resolution No. 14 was referred to the committee on ways and means.

Senator McClung, chairman of the committee on education, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 18, 1895. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 190, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that do pass.

J. H. McCLUNG,  
 Chairman.

On motion of Senator Alley, senate bill No. 190 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 18, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 173, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
 Chairman.

On motion of Senator Alley, the vote by which senate bill No. 159 was ordered to third reading was reconsidered.

Senator Alley submitted the following amendments to senate bill No. 159:—

AMENDMENT.

Insert in the title of the bill after the words "February 18, 1891," the following: And to amend section 1 of an act entitled an act to fix the salaries of the county treasurers of this state, and to repeal all acts and parts of acts in conflict with this act, filed in the office of the secretary of state February 20, 1893.

AMENDMENT.

In the place of section 2, insert the following: That section 1 of an act to amend section 1 of an act entitled an act to fix the salaries of the county treasurers of this state, and to repeal all acts and parts of acts in conflict with this act, filed in the office of the secretary of state February 20, 1893, shall read as follows:

Section 2. That the county treasurers of the several counties of the state receive as full compensation for their services the following annual salaries, to wit: Baker county, six hundred dollars; Benton county, five hundred dollars; Clackamas county, eight hundred dollars; Clatsop county, seven hundred and fifty dollars; Columbia county, three hundred and fifty dollars; Coos county, six hundred dollars; Curry county, two hundred and fifty dollars; Crook county, four hundred dollars; Douglas county, seven hundred dollars; Gilliam county, two hundred and fifty dollars; Grant county, six hundred dollars; Harney county, five hundred dollars; Jackson county, eight hundred dollars; Josephine county, four hundred dollars; Klamath county, four hundred dollars; Lake county, four hundred dollars; Lane county, eight hundred dollars; Linn county, one thousand dollars; Marion county, one thousand two hundred dollars; Malheur county, four hundred dollars; Multnomah county, two thousand dollars; Morrow county, five hundred dollars; Polk county, seven hundred and fifty dollars; Sherman county, one hundred dollars; Tillamook county, four hundred and fifty dollars; Umatilla county, eight hundred dollars; Union county, seven hundred dollars; Wasco county, five hundred dollars; Washington county, six hundred dollars; Wallowa county, two hundred and fifty dollars; Yamhill county, six hundred dollars.

AMENDMENT.

That section 2 of the printed bill shall be section 3.

On motion of Senator Alley, the amendments were adopted.

On motion of Senator Alley, senate bill No. 159 was laid on the table.

On motion of Senator Butler, senate bill No. 232 was made a special order of business at 10 o'clock a. m. tomorrow.

Senator Gowan, chairman of the committee on military affairs, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on military affairs, to whom was referred senate bill No. 70, as amended, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Section 79, strike out all of line four after the word "Oregon."

#### AMENDMENT.

Strike out all of lines five, six, and seven, in section 79, to and including the word "company."

A. W. GOWAN,  
Chairman.

Senate bill No. 70 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Carter, Cogswell, Gesner, Gowan, Hobson, Maxwell, McClung, Patterson, Woodard, and Mr. President—14.

Nays—Senators Butler, Holt, Huston, Johnson, King, McGinn, Price, Raley, Smith of Sherman, Steiwer, and Vanderburg—11.

Absent—Senators Calbreath, Dawson, Denny, McAlister, and Smith of Clatsop—5.

So the bill failed to pass.

Senator McGinn gave notice that he would on tomorrow move to reconsider the vote by which senate bill No. 70 failed to pass.

Senator King moved that when the senate adjourns, it adjourns until 7:30 o'clock p. m.

The motion failed.

On motion of Senator Bancroft, at 5:30 o'clock p. m., the senate adjourned.

**WALTER SINCLAIR,**  
Chief clerk.

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**TUESDAY, FEBRUARY 19, 1895.**

**MORNING SESSION.**

**SENATE CHAMBER,**  
**SALEM, Oregon,**  
**February 19, 1895. }**

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Huston, who were absent on account of illness.

The morning session of the senate was opened with prayer by Rev. I. D. Driver.

On motion of Senator McGinn, the reading of the journal of the proceedings of yesterday was dispensed with.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

**REPORT.**

**SENATE CHAMBER,**  
**SALEM, Oregon,**  
**February 19, 1895. }**

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 213, beg leave to report the same back to the senate as correctly engrossed.

**H. E. MCGINN,**  
Chairman.

Senator McGinn moved to reconsider the vote by which senate bill No. 70 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Johnson, Maxwell, McAlister, McGinn, Patterson, Steiwer, Woodard, and Mr. President—17.

Nays—Senators Denny, Holt, King, Price, Raley, Smith of Sherman, and Vanderburg—7.

Absent—Senators Beckley, Brownell, Hobson, Huston, McClung, and Smith of Clatsop—6.

So the vote by which senate bill No. 70 failed to pass was reconsidered.

Senator Gowan moved a call of the senate.

The roll was called and those present were:

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Absent—Senators Beckley, Huston, and Smith of Clatsop—3.

On motion of Senator Cogswell, further proceedings under the call of the senate were dispensed with.

Senator Raley moved the previous question.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Johnson, Maxwell, McAlister, McClung, McGinn, Steiwer, Woodard, and Mr. President—17.

Nays—Senators Brownell, Butler, Hobson, Holt, King, Price, Raley, Smith of Clatsop, Smith of Sherman, and Vanderburg—10.

Absent—Senators Beckley, Huston, and Patterson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Dawson, senate bill No. 6 was taken from the table.

On motion of Senator Dawson, senate bill No. 6 was ordered engrossed and to third reading tomorrow.

Senator Dawson moved that the rules be suspended and that senate bill No. 6 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Dawson, Denny, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, McGinn, Price, Smith of Sherman, Smith of Clatsop, Steiwer, and Mr. President—20.

Nays—Senators Cogswell and King—2.

Absent—Senators Beckley, Brownell, Gesner, Huston, Patterson, Raley, Vanderburg, and Woodard—8.

So the rules were suspended and senate bill No. 6 was read third time.

Senator Cogswell moved to lay senate bill No. 6 on the table. The motion failed.

Pending consideration of senate bill No. 6, the hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 19, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators Huston and Woodard.

The chief clerk of the house called the roll of the house, and all the members were present, except Representatives Rinearson and Smith of Clackamas.

The following named gentlemen were announced as paired on the vote for United States senator: Huston with Woodard, Rinearson with Smith of Clackamas.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGinn, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Mr. Speaker, and Mr. President—40.

Those voting for Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. C. A. Cogswell were: Mr. Raley—1.

Those voting for Hon. S. A. Lowell were: Messrs. Alley, Baker,



Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Total number of votes cast—86.

Absent and paired—4.

The president announced that as no person had received a majority of all the votes cast there had been no election.

Senator Alley moved that a second ballot be taken.

The motion was lost.

On motion of Mr. Long, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:25 o'clock p. m. by the president.

On motion of Senator Woodard, the senate adjourned until 2 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

The senate was called to order at 2:00 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senator Huston.

On motion of Senator Johnson, the courtesies of the senate were extended to Hon. James K. Weatherford, and he was invited to a seat within the bar.

On motion of Senator Alley, senate bill No. 159 was taken from the table.

On motion of Senator Alley, the amendments offered to senate bill No. 159 were withdrawn.

On motion of Senator Alley, senate bill No. 159 was ordered to third reading.

On motion of Senator Alley, senate bill No. 232 was ordered to take the place of senate bill No. 6, and that the consideration of

senate bill No. 6 be deferred until senate bill No. 232 was disposed of.

On motion of Senator Butler, the vote by which senate bill No. 232 was ordered to third reading was reconsidered.

On motion of Senator Butler, senate bill No. 232 was considered section by section.

Senator Bancroft moved to amend section 1 by striking out the words "county assessors," and inserting in lieu thereof the words "county judges."

Senators King and Cogswell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Calbreath, Carter, Dawson, Gesner, McClung, McGinn, Price, Raley, Steiwer, and Mr. President—11.

Nays—Senators Alley, Beckley, Brownell, Butler, Cogswell, Denny, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, Patterson, Smith of Clatsop, Smith of Sherman, Vanderburg, and Woodard—18.

Absent—Senator Huston—1.

So the senate refused to adopt the amendment.

On motion of Senator Gowan, the courtesies of the senate were extended to Mr. Ivanho, and he was invited to a seat within the bar.

On motion of Senator Johnson, the courtesies of the senate were extended to Judge H. H. Hewitt, and he was invited to a seat within the bar.

Senator Cogswell moved that the clerk be directed to strike out all of section 7 of senate bill No. 232.

Senators King and Cogswell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Calbreath, Cogswell, Dawson, Gesner, Holt, Huston, Johnson, King, McClung, Smith of Clatsop, and Vanderburg—14.

Nays—Senators Alley, Butler, Carter, Denny, Gowan, Hobson, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—16.

So the senate refused to strike out section 7.

Senator McGinn moved to amend section 8 as follows: Commencing with the word "it," in line eighteen on page 3 of printed bill, and strike out down to and including the words "such debtors," in line twenty-six, page 4 of printed bill.

Senators Raley and Cogswell demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Carter, Huston, King, McGinn, Smith of Clatsop, Steiwer, Woodard, and Mr. President—10.

Nays—Senators Alley, Beckley, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, and Vanderburg—20.

So the amendment was lost.

Senator Smith of Sherman submitted the following amendment: That all after the word "deducting," in line twenty, and all of lines twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, and up to and including the word "debtor," in line twenty-six, be stricken out and the following inserted: "until such person has produced a certificate from some county assessor of this state to show that the exemption claimed has been assessed to the person to whom such indebtedness is owing."

Senator Smith of Sherman moved the adoption of the amendment.

The motion was lost.

Senator McClung moved to amend by adding the word "recorded" preceding the word "indebtedness," in line nineteen on page 3 of printed bill.

The amendment was lost.

Senator Butler moved that the rules be suspended and that senate bill No. 232 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Calbreath, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Johnson, McAlister, McClung, Patterson, Price, Raley, and Vanderburg—17.

Nays—Senators Bancroft, Brownell, Carter, Gesner, Huston, King, McGinn, Smith of Clatsop, Smith of Sherman, Steiwer, Woodard, and Mr. President—12.

Absent—Senator Maxwell—1.

So the senate refused to suspend the rules.

Senate bill No. 6 was considered at this time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Dawson, Denny, Gowan, Hobson, Johnson, McClung, McGinn, Patterson, Steiwer, Woodard, and Mr. President—14.

Nays—Senators Alley, Butler, Calbreath, Carter, Gesner, Holt, Huston, King, McAlister, Price, Raley, Smith of Clatsop, Smith of Sherman, and Vanderburg—14.

Absent—Senators Cogswell and Maxwell—2.

So the bill failed to pass.

On motion of Senator Cogswell, senate bill No. 232 was ordered to third reading tomorrow.

On motion of Senator Cogswell, senate bill No. 232 was made a special order of business at 10 o'clock a. m. tomorrow.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 85, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 231.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 366,—a bill for an act to repeal an act to incorporate the town of Myrtle Creek.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 185.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 381,—a bill for an act to incorporate the city of Roseburg, and to repeal all acts and parts of acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 248,—a bill for an act relating to pilotage at the Columbia river bar and on the Columbia and Willamette rivers, and amending section 3893 of Hill's annotated laws of Oregon relating thereto.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 64.

And the same is herewith transmitted to you for your signature.

**R. E. MOODY,**  
Chief clerk.

**MESSAGE FROM THE HOUSE.**

**HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1895. }**

***Mr. President:***

I am directed by the speaker to inform you that he has signed house bill No. 2.

And the same is herewith transmitted to you for your signature.

**R. E. MOODY,**  
Chief clerk.

The president announced that he was about to sign house bills Nos. 2 and 64, and soon thereafter declared that he had signed the same.

Senate bill No. 19 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Calbreath, Carter, Gowan, Hobson, Huston, King, Maxwell, McGinn, Price, Raley, Woodard, and Mr. President—14.

Nays—Senators Beckley, Butler, Denny, Gesner, Holt, Johnson, McAlister, McClung, Patterson, Smith of Clatsop, Smith of Sherman, and Steiwer—12.

Absent—Senators Alley, Cogswell, Dawson, and Vanderburg—4.

So the bill failed to pass.

Unanimous consent being first obtained, Senator Huston introduced senate resolution No. 17.

**SENATE RESOLUTION NO. 17.**

Whereas the members of the senate have learned with profound sorrow of the death of Gilbert McGinn, the beloved brother of Senator Henry McGinn; therefore, be it

*Resolved*, That the sympathy of the members of the senate be extended to Senator McGinn in this his hour of bereavement, and that he be excused from further attendance during the remainder of this session.

On motion of Senator Huston, senate resolution No. 17 was adopted.

Senator Calbreath gave notice that he would on tomorrow move to reconsider the vote by which senate bill No. 6 failed to pass.

Senate bill No. 244. Senator McClung. (By unanimous consent.) A bill for an act to authorize the county court of Lane country, Oregon, to build or buy and operate a free ferry or ferries across the streams of Lane county.

Senate bill No. 244 was read first time and passed to second reading without question.

Senator McClung moved that the rules be suspended and that senate bill No. 244 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Alley—1.

So the rules were suspended and senate bill No. 244 was read second time by title only.

Senator McClung moved that the rules be further suspended and that senate bill No. 244 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—29.

Nays—None.

Absent—Senator Alley—1.

So the rules were suspended and senate bill No. 244 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard and Mr. President—28.

Absent—Senators Alley and Bancroft—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Maxwell moved that when the senate adjourns, it adjourns until 7:30 o'clock p. m.

The motion prevailed.

On motion of Senator Gesner, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

The senate was called to order at 7:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Huston, who was absent on account of illness.

Senator Hobson, chairman of the committee on federal relations, submitted the following report:—

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your committee on federal relations, to whom was referred house joint memorial No. 8, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

W. H. HOBSON,  
Chairman.

Senator Hobson moved the adoption of house joint memorial No. 8.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Johnson, King, Maxwell, McAlister, McClung, Smith of Sherman, Smith of



Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Denny, Holt, Huston, McGinn, Patterson, Price, and Raley—7.

So the memorial was adopted.

On motion of Senator Hobson, the clerk was directed to have house joint memorial No. 8 printed for the use of the members of the house and senate.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 229, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Butler moved that the rules be suspended and that house bill No. 45 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Gowan, Hobson, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Woodard, and Mr. President—18.

Nays—Senator Raley—1.

Absent—Senators Dawson, Denny, Gesner, Holt, Huston, King, McGinn, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—11.

So the senate refused to suspend the rules.

Senate bill No. 72 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—Senator Johnson—1.

Absent—Senators Denny, Holt, Huston, and Smith of Sherman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 107 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Gowan, Hobson, Holt, King, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—22.

Nays—Senators Gesner, Johnson, McClung, and Mr. President—4.

Absent—Senators Cogswell, Denny, Huston, and Smith of Sherman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Vanderburg moved to take senate bill No. 69 from the table.

Senators Vanderburg and Raley demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Beckley, Butler, Cogswell, Hobson, King, McAlister, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—12.

Nays—Senators Alley, Bancroft, Brownell, Calbreath, Carter, Dawson, Gesner, Gowan, Johnson, McClung, Raley, and Mr. President—12.

Absent—Senators Denny, Holt, Huston, Maxwell, McGinn, and Smith of Sherman—6.

So the senate refused to take senate bill No. 69 from the table.

Senate bill No. 153 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Carter, Cogswell, Gowan, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Woodard; and Mr. President—18.

Nays—Senators Calbreath, Dawson, Gesner, Hobson, Holt, Johnson, Patterson, Smith of Clatsop, Steiwer, and Vanderburg—10.

Absent—Senators Denny and Huston—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 144 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Calbreath, Dawson, Gesner, Gowan, Maxwell, McClung, McGinn, Patterson, Price, Smith of Sherman, Steiwer, and Mr. President—12.

Nays—Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Hobson, Holt, Johnson, King, McAlister, Raley, Smith of Clatsop, Vanderburg, and Woodard—15.

Absent—Senators Carter, Denny, and Huston—3.

So the bill failed to pass.

Senate bill No. 175 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Dawson, Denny, and Huston—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 195, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator Alley, senate bill No. 195 was ordered engrossed and to third reading tomorrow.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 55, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator Maxwell, senate bill No. 55 was considered engrossed and passed to third reading.

Senator Maxwell moved that the rules be suspended and that senate bill No. 55 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—23.

Nays—None.

Absent—Senators Carter, Denny, Huston, McGinn, Raley, Woodard, and Mr. President—7.

So the rules were suspended and senate bill No. 55 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Gesner, Gowan, Holt, King, Maxwell, McAlister, McClung, Patterson, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—17.

Nays—Senators Butler, Carter, Cogswell, Dawson, Hobson, Johnson, Price, and Woodard—8.

Absent—Senators Denny, Huston, McGinn, Raley, and Mr. President—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McGinn, chairman of the committee on revision of laws, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 203, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Insert after the words "of this state," on the third line of section 3 of the printed copy of the bill, the following: "*provided*, this act shall in nowise apply to or affect the county of Multnomah, which county is hereby made an exception from the effects of this act."

H. E. MCGINN,  
Chairman.

On motion of Senator Patterson, the amendment was adopted.

On motion of Senator Patterson, senate bill No. 203 was ordered engrossed and to third reading tomorrow.

On motion of Senator Alley, senate bill No. 195 was considered engrossed and passed to third reading.

Senator Alley moved that the rules be suspended, and that senate bill No. 195, be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—21.

Nays—Senators Beckley, Carter, and King—3.

Absent—Senators Dawson, Denny, Huston, McClung, McGinn, and Mr. President—6.

So the rules were suspended and senate bill No. 195 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—22.

Nays—Senator Woodard—1.

Absent—Senators Calbreath, Carter, Denny, Huston, McGinn, Raley, and Mr. President—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 159 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—21.

Nays—None.

Absent—Senators Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, Raley, and Mr. President—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 245. Senator Gesner. (By unanimous consent.) A bill for an act to provide for and to regulate the county printing in Marion county, Oregon.

Senator Gesner moved that the rules be suspended and that senate bill No. 245 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—21.

Nays—None.

Absent—Senators Brownell, Butler, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Mr. President—9.

So the rules were suspended and senate bill No. 245 was read first time by title only and passed to second reading.

Senator Gesner moved that the rules be further suspended and

that senate bill No. 245 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McClung, Price, Raley, Steiwer, Vanderburg, and Woodard—17.

Nays—None.

Absent—Senators Brownell, Butler, Calbreath, Carter, Dawson, Denny, Huston, McAlister, McGinn, Patterson, Smith of Clatsop, Smith of Sherman, and Mr. President—13.

No quorum voting, the motion was declared lost.

Senator Cogswell moved a call of the senate.

Senators Brownell, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, Vanderburg, and Mr. President being found absent.

On motion of Senator Gowan, further proceedings under the call of the senate were dispensed with.

Senate bill No. 246. Senator Maxwell. (By unanimous consent.) A bill for an act to amend section 1 of article XI of an act entitled "An act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon," and to repeal an act entitled "An act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon," approved November 25, 1885; and to repeal the act entitled "An act to amend sections 2 and 9 of an act entitled 'An act to incorporate the town of Rainier, in the county of Columbia, in the state of Oregon,' approved February 25, 1889, filed in the office of the secretary of state, February 22, 1893."

Senator Maxwell moved that the rules be suspended and that senate bill No. 246 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Mr. President—10.

So the rules were suspended and senate bill No. 246 was read first time by title only and passed to second reading.

Senator Maxwell moved that the rules be further suspended and that senate bill No. 246 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Brownell, Butler, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Raley—10.

So the rules were suspended and house bill No. 246 was read second time by title only.

On motion of Senator Maxwell, senate bill No. 246 was considered engrossed and passed to third reading.

Senator Maxwell moved that the rules be further suspended and that senate bill No. 246 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Raley—9.

So the rules were suspended and senate bill No. 246 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Raley—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 85 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Cogswell, Gesner,



Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 21.

Nays — None.

Absent — Senators Brownell, Calbreath, Carter, Dawson, Denny, Huston, McGinn, Patterson, and Raley — 9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 154 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Beckley, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Johnson, King, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 20.

Nays — None.

Absent — Senators Brownell, Calbreath, Carter, Dawson, Denny, Huston, Maxwell, McGinn, Patterson, and Raley — 10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 52 coming on for third reading, was read third time.

On motion of Senator McClung, further consideration of senate bill No. 52 was made a special order of business at 10 o'clock a. m. tomorrow.

Senate bill No. 161 coming on for third reading, was read third time.

Pending the consideration of senate bill No. 161, on motion of Senator Maxwell, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

WEDNESDAY, FEBRUARY 20, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senator McGinn.

The morning session of the senate was opened with prayer by Rev. A. L. Hutchinson.

On motion of Senator Gowan, the reading of the journal of the proceedings of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 13,—a bill for an act to provide for the assessment and collection of taxes in the state of Oregon and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 55,—a bill for an act to amend section 2752 and to repeal sections 2730, 2735, 2736, 2737, 2753, 2754, 2755, 2756, and 2757 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill, relating to the assessment of property and the collection of taxes, filed in the office of the secretary of state February 10, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 17,—a bill for an act to amend section 2798

of title VI of chapter XVII of Hill's annotated laws of Oregon, compiled by William Lair Hill, relating to the payment of taxes in lawful money of the United States.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 360.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 229.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bill No. 229 and house bill No. 360, and soon thereafter declared that he had signed the same.

The senate at time of adjournment on yesterday had under consideration senate bill No. 161, and the same was now considered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Alley, McGinn, and Price—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 52 having been heretofore made a special order of business for this hour was considered at this time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Calbreath, Carter, Holt, Huston, King, McAlister, McClung, Price, Smith of Clatsop, and Vanderburg — 10.

Nays — Senators Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Johnson, Maxwell, Patterson, Smith of Sherman, Steiwer, Woodard, and Mr. President — 17.

Absent — Senators Alley, McGinn, and Raley — 3.

So the bill failed to pass.

Senator McGinn, chairman of the committee on revision of laws, to whom was referred senate bill No. 198, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on revision of laws, to whom was referred senate bill No. 198, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

H. E. MCGINN,  
Chairman.

On motion of Senator Steiwer, senate bill No. 198 was considered engrossed and passed to third reading.

Senator Steiwer moved that the rules be suspended and that senate bill No. 198 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Beckley, Brownell, Butler, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 24.

Nays — None.

Absent — Senators Alley, Calbreath, Cogswell, King, McGinn, and Raley — 6.

So the rules were suspended and senate bill No. 198 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McClung, Patterson, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—Senators Beckley, Hobson, McAlister, Smith of Clatsop, and Smith of Sherman—5.

Absent—Senators Alley, McGinn, and Price—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Maxwell, chairman of the committee on counties, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 223, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In section 1, line eight of printed bill, after the words "Clackamas county," strike out the figures "\$1,800," and insert in lieu thereof the figures "\$1,200."

#### AMENDMENT.

In section 1, line eleven, after the words "Coos county," strike out the figures "\$1,200," and insert in lieu thereof the figures "\$800."

#### AMENDMENT.

In section 1, line sixteen, after the words "Gilliam county," strike out the figures "\$400," and insert in lieu thereof the figures "\$500."

AMENDMENT.

In section 1, line twenty-four, after the words "Marion county," strike out the figures "\$1,300," and insert in lieu thereof the figures "\$1,200.

AMENDMENT.

In section 1, line twenty-six, after the words "Morrow county," strike out the figures "\$800," and insert in lieu thereof the figures "\$900."

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, the amendments were adopted.

On motion of Senator Maxwell, senate bill No. 223 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 126, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In line five of section 1, after the dollar mark, strike out the figure "4," and insert in its stead the figure "3."

AMENDMENT.

In line seven of section 1, strike out the figure "4," and insert in lieu thereof the figure "3."

AMENDMENT.

In line eight of section 1, strike out all of line eight after the word "act."

AMENDMENT.

In line nine of section 1, strike out all of line nine down to and including the word "act."

## AMENDMENT.

In line eleven of section 1, after the word "society," insert the words "or societies."

## AMENDMENT.

In line fourteen of section 1, strike out the words "receive the benefits of this act," and insert in lieu thereof the following: "have two thirds, and the Newburg Fair Association shall have one third of the money arising from the tax provided for in this act."

## AMENDMENT.

In section 2, page 2, line one, strike out the words "it shall be the duty of."

## AMENDMENT.

In section 2, line two, strike out the word "to," and insert in its stead the words "may in its discretion."

## AMENDMENT.

In section 4, line four, strike out the word "society," and insert in lieu thereof the word "societies."

## AMENDMENT.

In section 4, line twelve, strike out the words "society is," and insert in lieu thereof the words "societies are."

O. N. DENNY,  
Chairman.

On motion Senator Bancroft, the amendments were adopted.

On motion of Senator Calbreath, senate bill No. 126 was ordered engrossed and to third reading tomorrow.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint memorial No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate

with the recommendation that said memorial be concurred in by the senate, with the following amendment:

## AMENDMENT.

On page 3 of said memorial, before the words "and your memorialists will ever pray," insert the following: "And also beginning at the southeast corner of township twenty-two (22) south, range one (1) east, running thence east on the surveyed and unsurveyed line between townships twenty-two (22) and twenty-three (23) south to the southeast corner of township twenty-two (22) south, range four (4) east; thence north on the surveyed and unsurveyed line between township ranges four (4) and five (5) east to the southeast corner of township seventeen (17) south, range four (4) east; thence east on the surveyed and unsurveyed line between townships seventeen (17) and eighteen (18) south to the northeast corner of township sixteen (16) south, range seven (7) east; thence north to the third standard parallel between townships thirteen (13) and fourteen (14) south; thence west along said parallel to the northeast corner of township fourteen (14) south, range four (4) east; thence following the present westerly line of said reservation to the southeast corner of township twenty-two (22) south, range one (1) east to line as originally established by proclamation of the president of the United States.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendment was adopted.

Senator Denny moved the adoption of house joint memorial No. 7.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Calbreath, Carter, Dawson, Denny, Gowan, Hobson, Johnson, Maxwell, McAlister, McClung, Price, Steiwer, Woodard, and Mr. President—16.

Nays—Senator Raley—1.

Absent—Senators Alley, Beckley, Brownell, Cogswell, Gesner, Holt, Huston, King, McGinn, Smith of Sherman, Smith of Clatsop, Patterson, and Vanderburg—13.

So the senate concurred in the adoption of house joint memorial No. 7.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 242, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

Senator Bancroft moved that the rules be suspended and that senate bill No. 242 be read third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Cogswell, Gesner, King, McGinn, and Vanderburg—6.

So the rules were suspended and senate bill No. 242 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Gesner, King, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate

bill No. 127, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 2, section 6, line two of the printed bill, strike out the figures "2,500" after the dollar mark, and insert in lieu thereof the figures "1,300."

AMENDMENT.

In line three of said section, strike out all of said line except the word and figures "Umatilla, \$800."

AMENDMENT.

In line four, page 3 of said section, strike out the word and figures "Wallowa, \$100," and insert in lieu thereof the following: "Morrow, \$400."

AMENDMENT.

In line five, section 6, strike out the balance of said section after the words "in each county thereof," and insert in lieu thereof the following: "and the deputy for Morrow county shall receive a salary of two hundred dollars per year, and the deputy for Umatilla county shall receive a salary of two hundred dollars per year, payable by said counties, respectively, in equal monthly installments."

AMENDMENT.

In section 7, page 3, line two, strike out the figures "\$2,500," and insert in lieu thereof the figures "\$2,000."

AMENDMENT.

In line three, strike out the word and figures "Morrow, \$500."

AMENDMENT.

After the words "equal monthly payments," in section 7, insert a new section, numbered 8, as follows:

Section 8. The district attorney of the eighth judicial district shall receive a yearly salary of one thousand five hundred dollars, to be paid by the several counties of said judicial district in the following proportion: Baker, five hundred dollars: Union, eight hundred dollars; Wallowa, two hundred dollars. The district attorney of said judicial district shall be allowed to appoint

a deputy in each county thereof, and such deputies shall each receive a yearly salary of two hundred dollars, payable by said counties, respectively, in equal monthly installments.

#### AMENDMENT.

After said new section, insert the following as section 9:

Section 9. The district attorney of the ninth judicial district shall receive a yearly salary of one thousand dollars, to be paid by the several counties of said judicial district in the following proportion: Grant, four hundred dollars; Harney, three hundred dollars; Malheur, three hundred dollars. The district attorney of said judicial district shall be allowed to appoint a deputy in each county thereof, and such deputies shall each receive a yearly salary of two hundred dollars, payable by said counties, respectively, in equal monthly installments.

#### AMENDMENT.

Number section "8" of the original bill section "10," and the sections following accordingly.

O. N. DENNY,  
Chairman.

On motion of Senator Huston, the amendments were adopted. There being no objection, further consideration of senate bill No. 127 was continued till 7:30 p. m. today.

On motion of Senator Butler, senate bill No. 232 was continued a special order of business till 3 o'clock p. m. today.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 190 and 197, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Patterson moved that the rules be suspended and that senate bill No. 197 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—Senator McAlister—1.

Absent—Senators Alley, Hobson, and McGinn—3.

So the rules were suspended and senate bill No. 197 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—27.

Nays—Senator Woodard—1.

Absent—Senators McGinn and Raley—2.

So the bill was passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 80, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not receive further consideration at this session of the legislature. In view of the financial stringency of the times, there is objection to making appropriations for the purpose of carrying out the preliminaries of what is known as the "Carey Law." Besides, if the matter is deferred for two years, we shall then have the benefit of the experience of other states who will have signified their desire to avail themselves of the Carey act. This experience will undoubtedly give us better facilities for drafting and presenting an experimental bill. This will be no detriment, in view of the fact that we have

eight years from the convening of the next legislature in which to perfect a law by which we shall profit under the Carey act.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, further consideration of senate bill No. 80 was indefinitely postponed.

Senate bill No. 130 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Steiwer, Smith of Sherman, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators McGinn and Raley—2.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Bancroft, senate bills Nos. 225 and 226 were made a special order of business at 4 o'clock p. m. today.

Unanimous consent being first obtained, Senate Gowan introduced senate resolution No. 18.

#### SENATE RESOLUTION NO. 18.

*Resolved by the Senate,* That the sergeant-at-arms be directed to furnish the officers of the senate the same number of newspapers authorized members by resolution No. 7.

On motion of Senator Gowan, the resolution was adopted.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 20, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and

all the senators were present, except Senators McClung and McGinn.

The chief clerk of the house called the roll of the house, and all the members were present.

The following named gentlemen were announced as paired on the vote for United States senator: McClung with McGinn.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrump, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. S. B. Huston were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Total number of votes cast—88.

Absent and paired—2.

The president announced that as no person had received a majority of all the votes cast there had been no election.

Senator Alley moved that the joint convention do now adjourn.

Senators Johnson and Alley demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Messrs. Alley, Baker, Barkley, Beckley, Boothby, Buckman, Burke, Burleigh, Cole, Coon, Cooper, Craig, Curtis, Dunn, Gates,

Guild, Gurdane, Hillegas, Hobson, Hofer, Hope, Huffman, Huston, Johnson, King, Lyle, McAlister, Nealon, Patterson of Grant, Patterson of Marion, Rinearson, Scott, Smith of Sherman, Smith of Clatsop, Smith of Linn, Tigard, Wright, Yates, and Young—39.

Nays—Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Butler, Calbreath, Calvert, Cardwell, Carter, Cleeton, Cogswell, Conn, Daly, David, Davis, Dawson, Denny, Gesner, Gowan, Gowdy, Holt, Jeffreys, Keyt, Lester, Long, Maxwell, McCracken, McGreer, Mintie, Moorhead, Myers, Paxton, Price, Raley, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Stewart, Templeton, Thompson, Vanderburg, Woodard, Mr. Speaker, and Mr. President—49.

Absent—Messrs. McClung and McGinn—2.

The motion was lost.

The president directed that the roll of the joint convention be called for the purpose of taking a second ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Long, Maxwell, McCracken, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Josephine, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Woodard, Mr. Speaker, and Mr. President—41.

Those voting for Hon. J. H. Raley were: Messrs. Beckley, Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. N. L. Butler were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Total number of votes cast—88.

Absent and paired—2.

The president announced that as no person had received a majority of all the votes cast there had been no election.

Representative Myers moved that the joint convention do now adjourn.

Senators Alley and Johnson demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—



Messrs. Brancroft, Beach, Beckley, Buckman, Burleigh, Butler, Calbreath, Carter, Cogswell, Conn, Cooper, Curtis, Daly, Dawson, Denny, Gesner, Gowan, Gowdy, Hobson, Holt, Huffman, Huston, Jeffreys, Lester, Maxwell, McAlister, McCracken, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Shutrum, Smith of Sherman, Smith of Clatsop, Smith of Polk, Steiwer, Stewart, Templeton, Thompson, Woodard, and Mr. President—44.

Nays — Messrs. Alley, Baker, Barkley, Blundell, Boothby, Bridges, Brownell, Burke, Calvert, Cardwell, Cleeton, Cole, Coon, Craig, David, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, King, Long, Lyle, Nealon, Patterson of Grant, Raley, Rinearson, Scott, Sehlbrede, Smith of Clackamas, Smith of Josephine, Smith of Linn, Stanley, Tigard, Vanderburg, Wright, Yates, Young, and Mr. Speaker—44.

Absent—Messrs. McClung and McGinn—2.

So the joint convention refused to adjourn.

Senators Huston and Bancroft announced that they were paired on the vote for United States senator, and asked to be excused.

Senators Patterson and Raley announced that they were paired on the vote for United States senator, and asked to be excused.

Senators Butler and Price announced that they were paired on the vote for United States senator, and asked to be excused.

Senators Huston, Bancroft, Patterson, Raley, Butler, and Price were excused.

On motion of Mr. Rinearson, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 1:10 o'clock p. m., by the president.

On motion of Senator Patterson, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.



The roll was called, and all the senators were present, except Senator McGinn.

Unanimous consent being first obtained, Senator Calbreath introduced senate concurrent resolution No. 18.

SENATE CONCURRENT RESOLUTION NO. 18.

*Resolved by the Senate, the House concurring,* That the eighteenth biennial session of the legislature of the state of Oregon adjourn without day on Friday, the twenty-second day of February, A. D. 1895, at 12 o'clock midnight of said day.

Senator Calbreath moved the adoption of senate concurrent resolution No. 18.

Senator Johnson moved to amend by striking out the word "Friday" and inserting in lieu thereof the word "Saturday," and to change the words "twenty-second" to "twenty-third."

Senators Cogswell and Calbreath demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Gesner, Gowan, Johnson, and Smith of Sherman—5.

Nays—Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Hobson, Holt, King, Maxwell, McAlister, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Absent—Senators Carter, Huston, McClung, McGinn, and Smith of Clatsop—5.

So the amendment failed to pass.

The vote now recurring upon the motion to adopt, the vote was in the affirmative.

So senate concurrent resolution No. 18 was adopted.

Unanimous consent being first obtained, Senator Raley introduced senate concurrent resolution No. 19.

SENATE CONCURRENT RESOLUTION NO. 19.

*Be it resolved by the Senate, the House concurring,* That the secretary of state be instructed to furnish to the state printer for publication, as required by law, true copies of the records of the proceedings of this legislative assembly as shown by the journals thereof, and the laws, resolutions, and memorials passed at this session, the compensation for such transcripts to be such as is prescribed by law for like services in other cases, and such copies of the laws to be furnished within sixty days from the date of the adjournment of this assembly. The original copies of said laws, journals, resolutions, and memorials shall be safely kept on file in the office of the secretary of state as required by law.

On motion of Senator Raley, senate concurrent resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 14,—a bill for an act to authorize sheriffs to charge and collect mileage in certain cases in lieu of expenses.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 208,—a bill for an act to amend section 7 of an act to provide for a state board of equalization.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 13, relating to the world's fair commission.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 18.

Whereas the legislative assembly of the state of Oregon, at its seventeenth biennial session, passed an act entitled an act to create a commission to provide for the display of Oregon re-

sources at the world's Columbian exposition, to define its duties and to appropriate money therefor, and thereby did appropriate out of the state treasury the sum of sixty thousand dollars to be expended therefor; and, whereas, in pursuance of said act, and to carry out the objects thereof, the governor of the state of Oregon appointed Honorables Geo. T. Myers, W. F. Matlock, Geo. W. McBride, Phil Metschan, C. W. Ayers, J. A. Wright, J. R. Cardwell, E. B. McElroy, Mrs. Mary Payton and Mrs. E. W. Allen, and M. Wilkins and Henry Klippel as honorary members of said board of world's fair commissioners, and said commissioners duly qualified and entered upon the discharge of their duties; and, whereas, the said board of world's fair commissions have discharged their trust and completed their labors in a manner highly satisfactory in every respect to the people of the state of Oregon, and have by their energy and ability largely added to the prosperity of our state by exhibiting our resources at said world's fair; and, whereas, by strict economy, the said world's fair commissioners have saved out of said appropriation the sum of eighteen thousand two hundred and eighty dollars and sixty-nine cents, which said funds are now in the hands of Hon. Phil Metschan, state treasurer; and, whereas, the reports of the several commissioners and officers are of great value to the state of Oregon, being filled with statistical and general information relative to the resources of the state, that have been gathered and compiled with great care by said commissioners; and, whereas, we recognize and highly appreciate the indefatigable energy and superior ability of President Geo. T. Myers, which contributed so largely to our success at the world's fair; therefore, be it

*Resolved by the House of Representatives, the Senate concurring,* That said board of world's fair commissioners be honorably discharged from further duty and responsibility in connection therewith; that the state of Oregon assume any and all legal obligations incurred by said board pertaining to said world's fair exhibit, and hold said board harmless therefrom.

*Resolved,* That the sum of eighteen thousand two hundred and eighty dollars and sixty-nine cents be refunded back into the treasury of the state of Oregon.

*Resolved,* That all articles belonging to the state and exhibited in the fishery department be turned over to the state board of agriculture; that all articles exhibited in the agricultural department be turned over to the state board of agriculture, and all articles exhibited in the horticultural department be turned over to the state board of horticulture.

*Resolved,* That the interests of the state of Oregon require

twenty thousand copies of the report of said world's fair commissioners be printed and distributed.

*Resolved*, That the thanks and gratitude of the people of the state of Oregon be extended to the gentlemen composing the said board of commissioners, to Secretary C. B. Irvine and to General Superintendent Jay Guy Lewis, for the able, energetic and successful manner in which they performed their duties to the state.

*Resolved*, That a joint committee of five, consisting of three from the house and two of the senate, be appointed to procure a suitable testimonial to be presented to President Geo. T. Myers as a token of the appreciation and approval by the people of the state for the successful management of this great enterprise.

*Resolved*, That the committee on ways and means be instructed to include in the general appropriation bill, an item not to exceed the sum of two thousand dollars, to provide for the payment of such outstanding claims against said world's fair commissioners, as shall be lawfully approved and audited, including the sum of five hundred dollars, hitherto awarded by the joint committee on world's fair commissioners, to Mrs. Emma G. White for damages to property, and for the payment of the cost of said testimonial to the president of said commissioners.

On motion of Senator Raley, the senate concurred in the adoption of house joint resolution No. 13.

Unanimous consent being first obtained, Senator Cogswell introduced senate resolution No. 19.

#### SENATE RESOLUTION NO. 19.

*Resolved*, That the secretary of state be and he hereby is requested to procure to be bound in board, as soon as practicable, a sufficient number thereof, and furnish to each member and officer of this senate a copy of all the documents, journals, and session laws of this session of this legislative assembly.

On motion of Senator Cogswell, the resolution was adopted.

Unanimous consent being first obtained, Senator Gowan introduced senate resolution No. 20.

#### SENATE RESOLUTION NO. 20.

*Resolved*, That the secretary of state be instructed to furnish each member of the senate with a copy each of volumes XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, and XXVII of the supreme court reports of Oregon.

Senator Gowan moved the adoption of the resolution.

Senators Vanderburg and Smith of Sherman demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Cogswell, Denny, Gowan, and Maxwell — 6.

Nays — Senators Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President — 21.

Absent — Senators Gesner, McGinn, and Smith of Clatsop — 3.

So the senate refused to adopt the resolution.

Senate bill No. 232 having been heretofore made a special order of business for this hour, the same was considered at this time.

Senate bill No. 232 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Alley, Beckley, Butler, Calbreath, Cogswell, Dawson, Denny, Gowan, Hobson, Holt, Johnson, Maxwell, McAlister, McClung, Price, and Raley — 16.

Nays — Senators Bancroft, Brownell, Carter, Gesner, Huston, King, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President — 11.

Absent — Senators McGinn, Patterson, and Vanderburg — 3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being first obtained, Senator Raley introduced senate concurrent resolution No. 20.

#### SENATE CONCURRENT RESOLUTION NO. 20.

*Resolved by the Senate, the House concurring,* That the Secretary of State be directed to furnish to the public library at Pendleton and to the Multnomah Law Library of Portland printed copies of the messages of the governor, the reports of all the state officers, state boards, and of the public institutions and the supreme court, and the journals of the house and the senate of this state, to be kept in each of said libraries for public use, subject to the rules and regulations of the duly constituted authorities of said libraries.

On motion of Senator Raley, senate concurrent resolution No. 20 was adopted.

On motion of Senator Gowan, the courtesies of the senate were extended to Hon. J. N. Brown, and he was invited to a seat within the bar.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 126, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Alley, chairman of the special committee under senate concurrent resolution No. 3, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

The joint committee appointed under senate concurrent resolution No. 3, to inquire into the building and management of the Oregon Soldiers' Home, beg leave to submit the following report:

We found the home quite pleasantly situated near the Umpqua river, and about one mile from the thriving city of Roseburg. In selecting a site for the home, your committee cannot find that any effort was made by the board of trustees to invite competition from other cities for donations of land or for sites for the home. It seems that only two were received and these were not considered. A tract of forty acres of land was purchased for a site at this place at a cost of seventy-five dollars per acre. The land is low and level, and covered by a dense growth of small timber. About ten acres of this land has been cleared, but your committee could obtain no direct and reliable information regarding the cost of clearing this land. The work seems to have been done by a large number of individuals employed by the day or hour and in connection with other labor, and no separate account of the cost of this work could be obtained. As regards the plan of the building your committee will not question, nor does it doubt the good intention of the board of trustees, but with the money expended, a building far more commodious and better adapted to the purpose intended might have been con-

structed. Nearly the whole of the first floor is occupied by the office, reading-room, and apartments for the employés, while the inmates, many of them feeble, must climb to the second floor and attic of the building.

The amount appropriated for the buildings by the act of 1893 was eight thousand dollars, while the amount actually expended was eleven thousand eight hundred and thirty-four dollars and seventy-eight cents, thus creating a deficit in that account of three thousand eight hundred and thirty-four dollars and seventy-eight cents, as shown by the report of the board of trustees.

Your committee find the following to be the number of employés and amounts paid to each per month: Commandant, eighty-three dollars and thirty-three cents; adjutant, fifty dollars; surgeon, forty-one dollars and sixty-six cents; matron, thirty dollars; cook, fifty dollars; assistant cook, ten dollars; laundress, twenty dollars; dining-room girl, twelve dollars; assistant matron, twelve dollars; teamster, twenty-five dollars; farmer and gardner, thirty dollars; mail carrier and laborer, ten dollars. Total, three hundred and seventy-three dollars and ninety-nine cents per month, or four thousand four hundred and eighty-six dollars per year. It will be seen that this is four hundred and seventy-six dollars, more than one third ( $\frac{1}{3}$ ) of the entire yearly appropriation for the maintenance of the home, and does not include what is paid to inmates who labor on the farm.

This amount seems to your committee to be far above the necessary requirements and ought to be reduced.

Section 15 of the act of 1893 reads as follows: "Said board of trustees shall regularly meet on the first Tuesday of March, June, September, and December, and shall at such times be authorized to audit the accounts of the said soldiers' home; and upon the approval thereof, said secretary shall make a statement of said accounts, which said statement shall be certified as correct by the president and secretary of said board of trustees, and shall then be filed in the office of the secretary of state, who shall then draw warrants upon the funds which may be appropriated or from time to time set aside for soldiers' home funds for the payment of the same; *provided*, that all warrants so drawn shall designate upon their face the purpose for which the same may be drawn, and that the same be paid from the soldiers' home fund."

The report of the board of trustees covering a period of eighteen months from May, 1893, to October, 1894, shows that there were held during that time eight meetings of the executive committee of the board, consisting of three members, and twenty-two meetings of the full board, or thirty meetings in all. Now, taking this land, covered with timber as it was, clearing it, erecting the building, furnishing it, and with all the minor details



necessary for its completion and occupancy, and all this required more than quarterly meetings of the board, your committee do not deny, but freely admit. But it must be remembered that the construction of the building was by contract, as was the plumbing, and as the clearing of the land should have been, and that all these meetings of the board were necessary your committee cannot believe, nor was there any evidence whatever produced before the committee to show this necessity. We are constrained then to say that it shows, if nothing worse, a lamentable want of business capacity on the part of the board of trustees. Your committee further find that the sum of five dollars per day was charged by the members of the board of trustees for each day's attendance on the meetings of the board in direct violation of section 18 of the act of 1893, which is as follows: "Said trustees shall not receive any compensation for their services, but they shall be entitled to their actual expenses incurred while attending the sessions, or in attending to the transaction of any business by and under the direction of said board of trustees." We also call your attention to the following communication from the secretary of state containing an opinion of the attorney-general, as the trustees claim that the charge of five dollars per day was legitimate and made to pay for help employed by them in their absence in attending the meetings of the board.

SALEM, Oregon, January 8, 1894.

*Mr. A. J. Bellows, Trustee, Oregon Soldiers' Home, Roseburg, Oregon—*

DEAR SIR: Enclosed please find voucher No. 5229 for twelve dollars and fifty cents—four dollars less than the total amount of your bill. This disallowed item is for the "cost of labor hired while absent." I have referred this matter to the attorney-general, and, in his opinion, he states: "A member of the board of trustees of the soldiers' home, while absent in attendance upon a board meeting, employs a man to take his place on the farm during his absence and pays him for his services four dollars, would it be proper to audit and allow said member this item? I am of the opinion that it would not be proper so to do. Section 18 of the act of 1893, providing for the appointment of the board of trustees of the home, provides that said trustees shall not receive any compensation for their services, but they shall be entitled to their actual expenses incurred while attending the sessions, or in attending to the transaction of any business by and under the directions of said board of trustees."

The language of the statute quoted does not indicate that the legislature intended the allowance of such claims as the one above referred to. Such a construction would leave to the sev-



eral members of the board of trustees the discretion to estimate their services at any price they might see fit, and indirectly make the state compensate them most handsomely therefor.

I have for the above reason disallowed the item first referred to in this letter.

I remain, yours very respectfully,

GEO. W. McBRIDE,  
Secretary of state.

Your committee find that the following amounts have been received by different members of the board of trustees for attendance on its meetings: J. W. Mullen, two hundred dollars; Charles Nickell, two hundred and sixty dollars; S. S. Train, one hundred and ninety-five dollars; James Byron, two hundred and ten dollars; A. J. Bellows, thirty dollars. We desire it to be understood that these charges are in excess of the regular car fare and Pullman car fare and other expenses. These amounts being as follows: Charles Nickell, two hundred and six dollars; S. S. Train, one hundred and sixty-three dollars; James Byron, fifty-one dollars; the latter living twelve miles in the country, and Messrs. Mullen and Bellows living in Roseburg. The total amount of these charges being one thousand three hundred and fifteen dollars, of which sum eight hundred and ninety-five dollars was paid themselves by the board of trustees in direct violation of law. Your committee find that Trustee Bellows, after attending six meetings of the board and charging per diem for the same, but coming to the conclusion that this charge was contrary to the spirit and intention of the law, he thereafter discontinued it. He also claims to have returned to the state the full amount thus wrongfully taken. It will be noticed that the per diem of S. S. Train, as above given, was one hundred and ninety-five dollars. He also claims to have made good to the state the sum of fifty dollars, the above amount being his salary for one quarter, as secretary of the board of trustees, which he did not draw. Your committee note these facts in justice to Messrs. Bellows and Train. But your committee cannot fail to note that, allowing the return to the state of fifty dollars by Mr. Train, there yet remains the sum of one hundred and fifty dollars salary as secretary of the board of trustees for three fourths of the year, while it was in evidence before your committee that Mr. Train did not perform the labor, but that it was performed by the commandant and adjutant of the home.

In May, 1893, J. W. Mullen and Charles Nickell, members of the board of trustees, visited the soldiers' home at Yountville and Santa Monica, California, and obtained free passes over the Southern Pacific railroad, as the following correspondence had

with Mr. T. H. Goodman, general passenger agent of the Southern Pacific Railroad Company, will show:—

ROSEBURG, Oregon, April 24, 1893.

*Mr. T. H. Goodwin, San Francisco, California.—*

DEAR SIR AND COMRADE: Your local agent at this place, Mr. Estes, has kindly shown me your letter to him concerning the matter of transportation asked for by Mr. Mullen of our board of trustees. After a brief presentation of our case, I trust that you will be able to grant our request securing to us the necessary transportation over your road. Briefly, it is this: The Oregon legislature appropriated so small a sum for us to accomplish anything looking toward the early completion of this much-needed enterprise, it is necessary for us to use the most rigid economy in every particular. None of the board being familiar with the workings of such a home, we feel it to be a necessity for some of us to make a personal visit to such homes as are available, so that we may avoid making costly mistakes that would be likely to happen did we not have an opportunity of gaining all the information possible. I have just returned from a visit to the home at Orting, Washington. From what I learned from my brief stay there clearly proved to me that a day spent at Yountville and also at Santa Monica would be of greatest value to us. I hope you will not take this as a criticism to your management, but in justice to myself as a member of the board, I think we are entitled to the same consideration from the Southern Pacific Company as has been given us by the Union Pacific, Northern Pacific, and also Hunt's system.

Wishing to meet the committee on the home at the Grand Army of the Republic encampment just held at Pendleton, I stated my case to Mr. Ord, of the Union Pacific, at Portland, and was given a pass for all the Grand Army of the Republic members of the board from that city to Portland. Then being anxious to gain as much time as possible, I determined to go to Orting before returning to Roseburg, and Mr. Prescott, of the Northern Pacific, at Portland, gave us a pass from Pasco to Orting and then go back to Kalama. Now here are two roads so located that they will never be benefited one dollar by our enterprise, whose managers, looking at the great merits and public character of such an institution in its true light, kindly gave us all we asked for. Will your road do less? When you take into account the fact that all the lumber and material to be used has to be transported over your road and the supplies for its maintenance for all time also, don't you think we are reasonable in our request? Comrade, I want you to be just as fair as I try to be. I know without your

telling me the extent to which the granting of passes are abused and in my private character, as a citizen, I would be the last to ask any favor not accorded to the rest of the public, for I am an ardent believer that all men pay as they go. That I am now and am likely to be in position that will be of value to your road I am certain. Understand me not in any way that would not invite the closest scrutiny, but as a man that realizes the great importance your road holds in its bearings on the future welfare and prosperity of the Pacific coast, and is willing to give it credit as such, which I am sorry to say is almost the exception instead of the rule. If you wish to inform yourself as to who I am, I can refer you to Paymaster Reid, who is well acquainted with me. If my memory is not at fault, I think I met you at the national encampment, at Portland, Maine, where I was a delegate from Portland, Oregon, and had a pass which I earned in aiding to get the next encampment at your city. That the object of present request is more worthy than any you are likely to be called upon to aid, I am sure, and, with this presentment, I leave the matter in your hands.

Yours in F., C. and L.,

A. J. BELLOWS.

On May 8th I received the following reply:—

SAN FRANCISCO, May 5, 1893.

*Mr. A. J. Bellows, Roseburg, Oregon—*

DEAR SIR: On returning early this week after an absence at the east your letter of the twenty-first ultimo was handed to me by Mr. Donaldson, my assistant. He was inclined to do what you asked, but, expecting my return at any moment, preferred I should act, hence the delay. With this apology for seeming nonattention, we beg to say we will comply with your request and arrange for the free transportation desired for the three members of your committee from Coles to Santa Monica and return. On being furnished with the names of the members by Mr. Mullen we will at once communicate with him through our agent, Mr. Estes.

Respectfully yours,

T. H. GOODMAN.

Following this an effort was made to secure a copy of Mr. Mullen's letter to Mr. Goodman, asking for free transportation, and of which Mr. Bellows' letter, as quoted above, was a supplement. Mr. Goodman replied as follows:—

SAN FRANCISCO, February 6, 1894.

*Mr. A. J. Bellows, Secretary, Oregon Soldiers' Home, Roseburg, Oregon—*

DEAR SIR: I am in receipt of your favor of the second instant. I still am of the opinion that it would not be the proper thing for me to give you a copy of the correspondence asked without an official request is made on me for the same.

You say that the majority of the board of trustees would not coincide with you in asking for these copies. It seems singular they should not if they have a desire to maintain proper "decorum." I might say among themselves as a body, and retain the good will of our company. Mr. Mullens' original letter asked for free transportation so that the home might receive the benefit thereof, at least I think any one would concur with us in our opinion that such was the tenor of the request. The passes would certainly never have been given under other circumstances.

You say that you introduced a resolution before the board that the money thus charged up be refunded, and this was done under the advice of Governor Pennoyer. It occurs to me that the governor, as the executive officer of the state of Oregon, controls the home, and could therefore very consistently duplicate your request. Should he do so I certainly will comply.

I will add that Mr. Mullen has recently asked for passes for two more of your people, which request I deemed it but right to decline, we having in effect our M. W. F. rates of one fare from Roseburg to San Francisco and return, and special rates then to Santa Monica.

Very respectfully,

T. H. GOODMAN.

It will thus be seen that Trustees Mullen and Nickell received free passes solely that the home might be benefited that much and on account of the small appropriation it had received, but notwithstanding this fact well known to them, Messrs. Mullen and Nickell charged and received from the state the full amount of the fare. Mr. Nickell justifies his conduct in the matter and incidentally replies to Judge Fullerton, who had given it as his opinion that the act was unlawful, as follows:—

JACKSONVILLE, July 11, 1893.

*Mr. A. J. Bellows—*

DEAR SIR: I have been absent from home some time and in looking over the correspondence find your letter advising me of the return of our transportation vouchers to the secretary of state.

I am greatly surprised at your action in this matter, and am at a loss to know how you could assume the authority of annulling or countermanding the action of the board. This is an assumption on your part wholly unauthorized by your position. The opinion by Judge Fullerton is that of an individual, nothing more, and entirely gratuitous, for the reason that the matter is not up for judicial investigation. It is surprising that Judge Fullerton would step aside to render an opinion upon a matter not properly and legally before him. The board in its official capacity passed upon and authorized the payment of the vouchers, and it was its privilege and right to do so, and certainly no one member of the board could assume the authority of undoing its work. It is well known that legislators and many people ride on passes and still get their mileage, but this has nothing to do with the matter. We are entitled to transportation from the state; if we can secure it from companies through individual influence it is a matter with which the state has nothing to do, and in no sense relieves the state of its obligations. If we chose to walk the state would be liable for the transportation just the same, as if we actually paid our fare. The above being the undeniable facts in the case, I hope you will write to the secretary of state at once and order the vouchers returned so we can get our warrants.

Yours, very truly,

CHARLES NICKELL.

Your committee will dismiss the subject here, simply premising that the laudable object of saving money for the Oregon Soldiers' Home did not seem to be the ruling motive in the lives of Messrs. Mullen and Nickell, at that time. Immediately following this trip of Messrs. Mullen and Nickell to California the board dispatched Mr. Baldwin, the commandant, and Mrs. Sada Watkins, the matron, to visit the soldiers' home at Orting, Washington, Mr. Bellows having visited the same place earlier in the spring. On their return and still on information bent, the board sent Baldwin over the same route Mullen and Nickell had taken to Santa Monica and Yountville, California. That Mr. Baldwin did not ride on the breakbeam, nor get his meals at the soup-house, is evident from the bill of particulars which he presented on his return. Railroad fare paid out, forty-eight dollars and fifty cents; Pullman fare paid, twelve dollars; hotel bills, sixty dollars; clerical assistance, car fare, and incidentals, ten dollars; total, one hundred and thirty dollars and fifty cents.

Your committee find certain vouchers drawn in favor of Mr. Mullen amounting to one hundred and eighty dollars for what he terms "expense at home grounds." What the term "expense at home grounds" means, your committee cannot determine, nor

could Mr. Mullen himself make it at all clear. The report of the board of trustees shows several hundred vouchers drawn in favor of Mr. Mullen, but what he did with the money or who received it, your committee could not ascertain. In one instance, it was shown your committee, the party for whom Mr. Mullen drew the money never received it. In this connection we desire to condemn in the most emphatic manner this so-called report of the board of trustees. It is composed of several hundred items thrown promiscuously together without system, aim, or method. Your committee has searched for days through its labyrinth of particulars to get something tangible and definite. Nor does the board of trustees seem to know much about it. It seems intended only to confuse and confound the searcher for information from its incongruous pages.

A large part of the printing for the home has been done by the Times Printing Company of Jacksonville, of which company Mr. Nickell is a member. The report of the board of trustees shows but few items, the cost of which can be compared with the same produced by other companies, but we have selected such as can be and have compared the cost of the same with those produced by Ross Moores and E. M. Waite of Salem, and two firms in Portland, and find that in every case the Times Publishing Company has charged fifty per cent. more for the same work than is charged by the firms above named. We have examined as far as possible the blank books furnished by said company, the other items above mentioned being different styles of envelopes and letter-heads, and believe that the whole amount of printing done by this company, and aggregating over five hundred dollars, has cost the state fifty per cent. more than if done by any other printing company in the state of Oregon. In concluding this report your committee desire to say that we have endeavored to do justice and spare not. And in this connection we desire again to mention the fact that Mr. Train returned, indirectly, fifty dollars of the money wrongfully withheld by him, and in justice to Mr. Bellows we will say that, beginning a career of dishonesty with the other members of the board, he early saw the injustice of his course, and did what he could to make amends for his wrongdoing. He has assisted us very materially in obtaining evidence and information, and has made a clean breast as far as we are able to determine of the whole matter.

The citizens of Roseburg have an interest in this home and its good name more direct and important than the citizens of any other part of the state. They desire that no scandal of any kind shall come upon it. They desire the fullest investigation of its management. They want no man, whoever he may be, to escape who has done it an act of injustice. They have been repre-



sented on this committee and every fair minded person in Roseburg will acquiesce in its conclusions. The mismanagement of the affairs of the home becoming a matter of notoriety, the department commander of the department of Oregon Grand Army of the Republic on last September appointed a committee of five members of that order to make an investigation and report at this session of the legislative assembly. The department commander has withheld that report from your committee and we knew nothing of its import until our own report was entirely prepared. We herewith submit that report:—

PORTLAND, Oregon, January 12, 1895.

*Hon. B. F. Alley, Senator from Lane County—*

DEAR SIR AND COMRADE: At a meeting of a special committee in behalf of the Oregon home for old soldiers, appointed by the department commander of the Grand Army of the Republic, to look after the interests of the old soldiers at the coming session of the legislature, and to coöperate with a joint committee which, no doubt, will be appointed for that purpose. After a careful examination of the management of the funds by the present board, we find that there has been an extravagant and careless management of the funds of the home, and the improper expenditure of the funds thus far leaves quite a large deficit now existing which might have been avoided with ordinary business ability and management, as the accompanying paper will fully show you.

We also hand you a consolidated statement of the funds, which will show about what each member has received and applied to his own gain. Also, several members have taken certain contracts for supplies to themselves at their own prices. We would particularly call your attention to the payment of certain warrants to J. W. Mullen for sundry accounts which were claimed to have been done for the home, but for which there seems to be no receipt but the one of J. W. Mullen. The board has only his statement and receipt for the various claims.

In view of these facts the committee of the Grand Army of the Republic of the department do most earnestly recommend that the names of the present board be not confirmed by the senate, and that that part of the unfinished business of the senate be referred back to the governor, who, we feel satisfied, will appoint a new board that will act with the proper business ability, both in the interest of the old soldiers and the generous public of this state, who are willing to pay any reasonable tax for the benefit of all worthy old soldiers.

Yours in F., C. and L.,

O. SUMMERS,

Chairman of committee Grand Army of the Republic.

Whereas the present board of managers of the Oregon State Soldiers' Home have shown extravagant and useless expenditure of the funds appropriated for the home; therefore, be it

*Resolved by this committee*, That we recommend the nonconfirmation of this board by the senate, and that their names be returned to His Excellency, Governor Lord, for a substitute committee for the supervision of the home, as provided by the law of the state.

Portland, Oregon; adopted January 12, 1895.

O. SUMMERS,

President of the committee for Grand Army of the Republic, department of Oregon.

For ourselves, your committee will say, we most emphatically condemn the system of petty larceny inaugurated and carried out by the board. They seem early in their history as a board to have fallen out among themselves, and while they pilfered from the state, varied the performance by backbiting each other. These men were not appointed for their fitness for the position, the prime object in their appointment being to locate the home, their qualifications and fitness being considered of secondary importance by the power that appointed them.

The Oregon Soldiers' Home began its existence opposed by many and subject to the criticism of an indifferent or hostile press. In no way could it secure the confidence and good will of the people of the state but by able, honest, clean, and economical administration of its affairs; but your committee is compelled to say that in its management the very reverse has been the case. It has not been able; it has not been honest; it has not been clean, and it has not been economical. In view, therefore, of all the information obtained and evidence produced to substantiate these undeniable facts, your committee would earnestly recommend that the nomination of the present board of trustees be not confirmed; and while your committee have no occasion to criticise in any manner the treatment of the inmates by the officers in charge, yet there are other and cogent reasons which prompt us to recommend that the higher officers of the home be superseded by others, and that the entire management of this institution be placed under the control of a new administration; and we will go farther and say that we believe that suit should be brought by the proper officer to compel the trustees to account for the money placed in their hands and to return the amount illegally taken by them. But for this trouble in the affairs of the home and cloud upon its management the recipients of its care are nowise responsible, nor should the legislative assembly be influenced by what has occurred in doing an act of justice to these men.



For want of accommodations the admissions to the home ceased several months since. There are at present in the home fifty-three inmates, and if proper accommodations could be secured the number would be doubled within the year. This class of persons must be supported by the state in some way, but in no way so cheaply as at the home.

It is found that the board of an inmate there is about thirty-four cents per day and the aid received from the general government will nearly cover that amount. The most pressing wants of the institution at the present time are a building for sleeping accommodations and a hospital. Your legislative body should grant these. You might do more; you should not do less.

Respectfully submitted.

B. F. ALLEY,  
Committee on part of the senate.  
C. P. YATES,  
J. S. BOOTHBY,  
J. E. BLUNDELL,  
Committee on part of the house.

On motion of Senator Alley, the report was adopted and ordered spread upon the journal of the proceedings of the senate, and the clerk directed to have two hundred and fifty copies of the same printed for the use of the members of the legislature.

Senate bill No. 173 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—24.

Nays—Senators Holt and Vanderburg—2.

Absent—Senators Alley, Hobson, McGinn, and Smith of Clatsop—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson moved that the rules be suspended and that house bill No. 321 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley,

Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Cogswell, Huston, and McGinn—4.

So the rules were suspended and house bill No. 321 was read first time by title only and passed to second reading.

Senator Patterson moved that the rules be further suspended and that house bill No. 321 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Beckley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Alley, Denny, Gesner, Hobson, McClung, McGinn, and Vanderburg—7.

So the rules were suspended and house bill No. 321 was read second time by title only.

On motion of Senator Patterson, house bill No. 321 was ordered to third reading tomorrow.

Senator Bancroft, chairman of the committee on privileges and elections, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1895. }

*Mr. President:*

Your committee on privileges and elections, to whom was referred senate bill No. 226, beg leave to report that they have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In line ten of section 49, after the word "place" insert "without regard to how many times he may have been nominated."

#### AMENDMENT.

In section 49, at the end of line fifteen, insert "and for the senate and house of representatives."

F. A. BANCROFT,  
Chairman.

On motion of Senator Bancroft, the amendments were adopted.

On motion of Senator Bancroft, senate bill No. 226 was ordered engrossed and to third reading tomorrow.

Senator Bancroft, chairman of the committee on privileges and elections, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on privileges and elections, to whom was referred senate bill No. 225, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

In line nine of section 3 after the words "the court," erase "shall" and insert in lieu thereof "may in its discretion."

F. A. BANCROFT,  
Chairman.

On motion of Senator Bancroft, the amendment was adopted.

On motion of Senator Bancroft, senate bill No. 225 was ordered engrossed and to third reading.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill Nos. 203 and 226, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

On motion of Senator Bancroft, senate bills Nos. 225 and 226 were made a special order of business at 7:30 o'clock p. m. today.

Senate bill No. 59 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Huston, Maxwell, McClung, Raley, and Mr. President—7.

Nays—Senators Bancroft, Beckley, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Holt, Johnson, King, McAlister, Patterson, Price, Smith of Clatsop, Smith of Sherman, Steiwer, and Vanderburg—18.

Absent—Senators Calbreath, Gowan, Hobson, McGinn, and Woodard—5.

So the bill failed to pass.

Senate bill No. 213 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—24.

Nays—Senators Bancroft, King, and Vanderburg—3.

Absent—Senators Brownell, Hobson, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 20, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills: senate bills Nos. 45, 60, and 162.

W. S. DUNIWAY,  
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 92,—a bill for an act to amend an act en-

itled an act to fix the salaries of the county treasurers of the state and county judges of Lincoln county, and to repeal all acts and parts of acts in conflict therewith.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 20, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bill: senate bill No. 229.

W. S. DUNIWAY,  
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 160,—a bill for an act relating to per diem and fees of the county commissioners of Morrow and Baker counties.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 375,—a bill for an act to amend section 4220, chapter LXXXIII, title II of Hill's annotated laws of Oreson.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 260,—a bill for an act to provide for and regulate the offices of justice of the peace and constables, and to repeal sections 2486, 2492, and 2493 of Hill code, and to repeal an act approved October 21, 1864, and an act approved February 20, 1891, and to amend section 2052 (2) of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 338,—a bill for an act relating to the compensation of certain county officers, and their deputies.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 185,—a bill for an act to provide for a tax for school purposes.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## JOURNAL OF THE SENATE.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate concurrent resolution No. 2.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate concurrent resolution No. 2, and soon thereafter declared that he had signed the same.

Senator Patterson moved that when the senate adjourns, it adjourns until 7:30 o'clock p. m.

The motion prevailed.

On motion of Senator Maxwell, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

The senate was called to order at 7:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senators Denny and McGinn.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate resolution No. 19, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 185 and 231, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 48,—a bill for an act providing for certain qualifications of school superintendents for the various counties of the state.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 229,—a bill for an act to fix the compensation of the justices of the peace and constables in the state of Oregon and in cities having over fifty thousand inhabitants.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 114,—a bill for an act to amend sections 1429 and 1448 of Hill's annotated laws of Oregon, relating to appeals in criminal cases.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

Senator Gesner, chairman of the committee on public buildings and institutions, submitted the following report:—

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

Your committee on public buildings and institutions, to whom was referred senate bill No. 193, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

ALONZO GESNER,  
 Chairman.

On motion of Senator Gesner, senate bill No. 193 was considered engrossed and passed to third reading.

Senator Gesner moved that the rules be suspended and that senate bill No. 193 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Beckley, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—21.

Nays—Senators Huston and McClung—2.

Absent—Senators Alley, Bancroft, Brownell, Denny, McGinn, Paterson, and Price—7.

So the rules were suspended and senate bill No. 193 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Johnson, Maxwell, McClung, Patterson, Smith of Clatsop, Steiwer, and Mr. President—15.

Nays—Senators Carter, Holt, Huston, King, McAlister, Price, Raley, Smith of Sherman, and Woodard—9.

Absent—Senators Bancroft, Brownell, Denny, Hobson, McGinn, and Vanderburg—6.

So the bill failed to pass.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

# REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 223 and 225, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senate bills Nos 225 and 226 having been heretofore made a special order of business for this hour, the same were considered at this time.

Senate bill No. 225 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Steiwer, Woodard, and Mr. President—21.

Nays—Senators Beckley, Holt, Raley, and Vanderburg—4.

Absent—Senators Brownell, Calbreath, Denny, McGinn, and Smith of Clatsop—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 226 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—Senators Beckley, Holt, and Raley—3.

Absent—Senators Calbreath, Denny, McGinn, and Smith of Clatsop—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Calbreath, senate bill No. 126 was considered at this time.

Senate bill No. 126 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Huston, Johnson, Maxwell, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—19.

Nays—Senators Alley, Beckley, Brownell, Hobson, Holt, King, McAlister, and Raley—8.

Absent—Senators Dawson, Denny, and McGinn—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 62,—a bill for an act to repeal section 4101 of Hill's annotated code, chapter LXXXVI, title I.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 331,—a bill for an act to provide for the selection of a homestead, defining the same, and to repeal an act of the legislative assembly of the state of Oregon entitled "An act to exempt homestead from attachment and judicial sale," approved February 21, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 306,—a bill for an act to amend an act entitled "An act to make counties liable for loss or damage sustained in consequence of defective and dangerous county roads and bridges."

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 314,—a bill for an act for the relief of certain parties who have heretofore purchased swamp land of the state of Oregon to which the state is unable to give title.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## JOURNAL OF THE SENATE.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 291,—a bill for an act to regulate the creation of new counties.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 304,—a bill for an act to amend sections 4003 and 4007 Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 363,—a bill for an act to prevent live stock from running at large.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 87,—a bill for an act to amend sections

296, 301, 302, and 303 of title I of chapter III of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to confirmation of sale of real property on execution, and of the time for redemption thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February —, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has recalled senate bill No. 233. You will please return the same.

R. E. MOODY,  
Chief clerk.

On motion of Senator Woodard, the request was complied with, and senate bill No. 233 was returned to the house.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 142.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 383,—a bill for an act to amend an act entitled "An act to incorporate the city of Portland and provide a charter therefor," and to repeal an act entitled an act to incorporate the city of Portland, filed in the office of the secretary of state February 19, 1891, filed in the office of the secretary of state February 23, 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## JOURNAL OF THE SENATE.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 111,—a bill for an act to amend sections 537 and 541, Hill's annotated laws.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 342,—a bill for an act to amend section 2328 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the times of holding court in the first judicial district; and to provide for the continuation and transfer of all business appointed to or for hearing at the March, 1895, term of the circuit court of Josephine county, to the April, 1895, term thereof, created by this act, and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 185 and 231.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
 Chief clerk.

The president announced that he was about to sign senate bills Nos. 185 and 231, and soon thereafter declared that he had signed the same.

On motion of Senator Gowan, senate bill No. 86 was made a special order of business at 10 o'clock a. m. tomorrow.

Senate bill No. 196 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Calbreath, Carter, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Butler, Dawson, Denny, Hobson, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Holt, senate bill No. 184 was considered at this time.

Senate bill No. 184 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, McGinn, Patterson, and Raley—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Butler, senate bill No. 139 was considered at this time.

Senate bill No. 139 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.



Absent—Senators Carter, Denny, Gesner, McGinn, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 94 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Brownell, Carter, Denny, McGinn, and Raley—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 170 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, Hobson, Holt, Johnson, McGinn, and Raley—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 235 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Dawson, Gowan, Holt, Huston, King, McAlister, and Woodard—10.

Nays—Senators Cogswell, Gesner, Hobson, Johnson, Maxwell, McClung, Patterson, Price, Smith of Sherman, Steiwer, Vanderburg, and Mr. President—12.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Denny, McGinn, Raley, and Smith of Clatsop—8.

So the bill failed to pass.

On motion of Senator Alley, senate bill No. 172 was made a special order of business at 10:20 o'clock a. m. tomorrow.

Senate bill No. 93 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Denny, Huston, McGinn, and Raley—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 160 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, Huston, McGinn, and Raley—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Smith of Sherman, senate bill No. 68 was made a special order of business at 10:45 o'clock a. m. tomorrow.

Senate bill No. 114 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Holt, King, Maxwell, McAlister, McClung, Pat-

terson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, Hobson, Huston, Johnson, McGinn, and Raley—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 237 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—19.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Denny, Hobson, King, Maxwell, McGinn, Patterson, Raley, and Woodard—11.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, at 10:15 o'clock p. m., the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

THURSDAY, FEBRUARY 21, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Beckley and McGinn, who were absent on leave.

The morning session of the senate was opened with prayer by Rev. G. W. Grannis.

On motion of Senator Dawson, the reading of the journal of the proceedings of yesterday was dispensed with.

On motion of Senator Smith of Clatsop, senate bills Nos. 71 and 49 were made a special order of business at 11:30 a. m. today.

Senator Dawson, chairman of the special committee appointed under house concurrent resolution No. 5, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee appointed under house concurrent resolution No. 5, to examine the books and accounts of the state treasurer's office, having performed the duty intrusted to it, beg leave to report as follows:

As authorized by your resolution, we employed expert accountants, who, by our direction and under such personal supervision as our legislative duties enabled us to give to the investigation, have found the following facts: A comparison of the entries of cash receipts for the fiscal years 1893 and 1894, each of which has been carefully compared with the cashbook and report of the treasurer, shows that all the money received from all sources has been recorded and accounted for, and that the totals are correct. An examination of the disbursements during the biennial term, and a comparison of the items with the warrants of the secretary of state, show that every payment has been made according to law, and correctly entered on the books. Every note and mortgage in the common school fund, university fund, and agricultural college fund has been examined, the payments of principal and interest compared with the indorsements on the notes and the entries on the cashbooks, and found correct. The notes on hand as per last report were also checked, and the notes or the amounts, in lieu thereof, found to be correct. The securities deposited by the various foreign insurance and express corporations to the amount of two million five hundred and fifty thousand dollars have been inspected by us and found to be as reported by the treasurer. We have also carefully examined the report of the treasurer as printed, and report to have found in the same several typographical and clerical errors; the latter were corrected and appear in the "errata" on page 278 of said printed report. The totals in said printed report will in some instances be found incorrect, owing to the corrections made as shown in exhibit "A" hereto attached and made a part of this report. The tabulated statements, however, as printed on pages 5 to 8, in the front of the printed report, are correct, and include all corrections of all clerical errors discovered by your committee.

Our accountants report that they have been greatly assisted by the willingness of the treasurer and his assistants to furnish all the information and documents needed, thus making the examination complete and exhaustive.

All of which is respectfully submitted.

S. A. DAWSON,  
Chairman.  
J. H. RALEY.

EXHIBIT "A."

*Penitentiary Fund.*—Total disbursements, as per report, eighty-four thousand six hundred and forty dollars and eighteen cents; by error, warrant No. 8934, W. C. Knighton, one hundred dollars. Total, as corrected, eighty-four thousand five hundred and forty dollars and eighteen cents.

*Reform School Fund.*—Total disbursements, as per report, one hundred and twelve thousand eight hundred and six dollars and sixty-seven cents; to error, warrant No. 8934, W. C. Knighton, one hundred dollars. Total, as corrected, one hundred and twelve thousand nine hundred and six dollars and sixty-seven cents.

*Insane and Idiotic Fund.*—Total disbursements, as per report, two hundred and forty-eight thousand seven hundred and forty-four dollars and ninety-five cents; by error, warrant No. 2574, Gray Brothers, two dollars and sixty cents. Total, as corrected, two hundred and forty-eight thousand seven hundred and forty-two dollars and thirty-five cents.

*Incidental Fund.*—Total disbursements, as per report, twenty-six thousand five hundred and seven dollars and eight cents; by error, warrant No. 1756, entered in cashbook, twenty dollars (warrant, as issued, twenty dollars and ninety cents)—ninety cents; by error, warrant No. 2574, Gray Brothers, two dollars and sixty cents. Total, as corrected, twenty-six thousand five hundred and ten dollars and fifty-eight cents.

*Convict Fund.*—Total disbursements, as per report, twenty-three thousand three hundred and fifty-one dollars and seventy-one cents; by error, warrant No. 4337, C. J. Chamberlain, eighteen dollars and ninety-five cents; by error, warrant No. 4351, H. L. Moreland, eighteen dollars and ninety-five cents; by error, warrant No. 4546, A. Gittings, three hundred and four dollars and fifty cents—three hundred and forty-two dollars and forty cents. Total, as corrected, twenty-three thousand and nine dollars and thirty-one cents.

*Insane Fund.*—Total disbursements, as per report, twenty-seven thousand eight hundred and thirty-two dollars and fifty cents; to error, warrant No. 4337, C. J. Chamberlain, eighteen dollars

and ninety-five cents; to error, warrant No. 4351, H. L. Moreland, eighteen dollars and ninety-five cents; to error, warrant No. 4546, A. Gittings, three hundred and four dollars and fifty cents — three hundred and forty-two dollars and forty cents. Total, as corrected, twenty-eight thousand one hundred and seventy-four dollars and ninety cents.

On motion of Senator Dawson, the report was adopted and placed on file.

Senate bill No. 86 having been heretofore made a special order of business for this hour the same was considered.

On motion of Senator Price, senate bill No. 26 was substituted for that of senate bill No. 86.

Senator Bancroft, chairman of the special committee appointed under senate concurrent resolution No. 13, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

The joint committee, appointed under senate concurrent resolution No. 13, to investigate the management and condition of the Oregon State Insane Asylum, beg leave to report that we have discharged the duty assigned us.

We find that the patients are supplied with all things necessary for their comfort, that sufficient and wholesome food is furnished them and that the wards are kept in a cleanly manner, and the sanitary conditions are as near perfect as it is possible. A complete fire system and equipment is maintained and the safety of the patients in this respect as well guarded as is possible. The building known as the infirmary is a fine structure, and its arrangement such that there is but little, if any, danger from the spread of contagious diseases, should any break out or be introduced there. The treatment of the patients is humane and courteous, and the rules governing all things relating to the care, sustenance, and attention of the patients are complete, and a strict compliance required. The lands about the asylum and of the asylum farm are carefully and systematically cultivated, and under its present state of cultivation furnish all the vegetables and small fruits necessary for the maintenance of the employés and patients, and the further amount of roots and hay necessary to feed all the stock owned by this department. We have visited the asylum cottage farm and find all the improvements of substantial character in their construction. The buildings are all well made, comfortably furnished, and neatly kept.

The fences are good and the land under a good state of cultivation. Under the present careful management of the institution, the average cost per capita per month has been reduced from an average of twelve dollars and sixteen and four tenth cents per month at the close of the year, 1892, to an average at the close of the last year of nine dollars and twenty-three cents per month, making the present cost per capita of about thirty-two cents per day.

The library should not be neglected, as it is of great benefit to the patients. There are at present about one thousand inmates in the asylum, and the number is gradually increasing, the number reported at the last biennial session of the legislature being eight hundred and twenty-eight.

A thorough investigation of the books and accounts of the institution has been made by competent clerks, and in all particulars they have been found correct. From the present system of keeping accounts, however, we find that the bookkeeper at the asylum has no means of keeping his accounts in check with the secretary of state without considerable extra trouble and care on his part. We would recommend that the board adopt the following system, to wit: That the bookkeeper at the asylum be required to send duplicate bills attached to his vouchers when making his report to the board; that when a bill is audited and a warrant drawn for the same, the secretary of state shall stamp or indorse on the duplicate bill attached to the vouchers the number of the warrant, date of issuance and amount, and sign the same and return it to the asylum, or if a warrant is issued for any sum authorized and not received by voucher from the asylum, a bill of the same, stamped as above indicated, should be sent as in the former case. This would, in our opinion, be a complete check on both offices and prevent the liability of errors which might now exist.

We would further recommend that the quarterly payroll be made in triplicate, both original and duplicate being signed by the employés, and one deposited with the secretary of state, upon which he should issued his warrant for the total amount named therein in favor of the bookkeeper. The bookkeeper should then deposit the duplicate payroll with the treasurer at the time of cashing his warrant, and pay the employés their several amounts as reported on the payroll, he retaining the triplicate copy. These payrolls should all be stamped or indorsed by the secretary of state, as above indicated in relation to the vouchers.

In order that the state and employés may be protected, the bookkeeper at the asylum should be required to give a good and sufficient bond in such sum as the board may name. This latter system would save a great deal of work both to the secretary of



state and state treasurer, and be far less trouble to the employes than the present system.

In the matter of charges against the management of the asylum your committee would further report that it has held three stated meetings, each of which were publicly advertised under the statement that it would receive and consider any charges regarding the improper management of the affairs of the asylum properly brought before it. No charges were preferred at any of these meetings, and we are of the opinion that none can be brought affecting in any way the careful and proper management of the institution.

In all our examinations the superintendent has been very courteous in his demeanor, careful in his explanations, and has insisted on a thorough and searching investigation.

The bookkeeper was courteous and obliging, and during the examination of the books and papers gave his aid and all assistance required in the investigation.

F. A. BANCROFT,  
Chairman on the part of senate.  
C. A. SEHLBREDE,  
Chairman on the part of house.

On motion of Senator Bancroft, the report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 151,—a bill for an act to provide compensation for deputy sheriffs in the counties of Crook, Harney, Grant, Morrow, Wasco, Josephine, and Clackamas, and sheriff and deputy for Clackamas, and sheriff and deputy for Tillamook.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 224,—a bill for an act changing the mining



and water rights records of Jackson county from the county clerk's office into the office of the recorder of conveyances, and making it the duty of the recorder to keep such records, specifying his fees and providing for his salary.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 373,—a bill for an act to repeal an act entitled an act to promote drainage for agriculture and sanitary purposes, passed the legislative assembly at the fifteenth regular session, and filed in the office of the secretary of state February 21, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 26, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

O. N. DENNY,  
Chairman.

On motion of Senator Price, senate bill No. 26 was considered engrossed and passed to third reading.

Senator Price moved that the rules be suspended, and that senate bill No. 26, be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Alley, Beckley, Butler, Cogswell, McGinn, and Raley—6.

So the rules were suspended and senate bill No. 26 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Butler, Cogswell, Gowan, Holt, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—16.

Nays—Senators Bancroft, Calbreath, Carter, Dawson, Denny, Gesner, Hobson, Huston, Johnson, and McClung—10.

Absent—Senators Alley, Beckley, McGinn, and Vanderburg—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 330,—a bill for an act to amend section 397, title I of chapter V, section 815, title V, chapter IX, code of civil procedure, as compiled by W. Lair Hill, and as amended by an act approved February —, 1893; and to amend section 399, title I, chapter V of the code of civil procedure, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 146,—a bill for an act providing for the location of quartz mining claims.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 222,—a bill for an act relating to construction of county roads.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 380,—a bill for an act to legalize a defective remission of fine and costs.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 295,—a bill for an act to amend section 57 of W. Lair Hill's annotated laws of Oregon, relating to publication of summons.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 280,—a bill for an act to amend section 4097 of title I of chapter LXXVI of Hill's annotated laws.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 327,—a bill for an act to amend section 177 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 302,—a bill for an act to regulate the appointment of receivers, and to require a bond upon their appointment to protect the parties interested.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 205,—a bill for an act relating to chattel mortgages and the recording thereof, and legalizing the filing and recording of existing chattel mortgages, and repealing existing laws relating to the filing and recording of chattel mortgages, and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 374,—a bill for an act to amend an act entitled an act to amend an act entitled "An act to regulate the salaries of county judges of the state of Oregon," approved February 20, 1885, approved February 21, 1887, approved February 25, 1889, approved February 18, 1891.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 94,—a bill for an act to prevent blacklisting and keeping a black list.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 263,—a bill for an act to amend section

2338, title I, chapter XI, Hill's annotated laws of Oregon, providing for the compensation of the clerk of the supreme court, and fixing the fees to be paid by the litigants in the supreme court.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 26,—a bill for an act to amend section 4178 of the laws of Oregon, compiled by William Lair Hill, and published by authority of statute of February 26, 1885, and to provide the manner in which town and other plats of the subdivision of lands shall be acknowledged, and to legalize plats heretofore recorded.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 251,—a bill for an act to prohibit minors from going into or visiting places of evil resort, and fixing a penalty therefor; and to prevent and punish any person for requesting or directing minors to go into or visit any such place.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 258,—a bill for an act to amend section 6 of an act entitled an act for prevention of and punishment for enticing or harboring seamen from ships and vessels in the waters of the Columbia and Willamette rivers, or for arresting officers or seamen on such vessels, and to amend sections 1952 and 1953 of Hill's annotated laws of Oregon, filed in the office of secretary of state February 23, 1889.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 89,—a bill for an act entitled an act to provide for the prohibition of the use of narrow tires upon heavy vehicles.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 140,—a bill for an act entitled an act requiring all opera-houses, lodgerooms, schoolrooms, and places for public assemblies, to have fire escapes and suitable means of exit open in time of fire or panic.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 40,—a bill for an act to protect fish in certain waters.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 172 having been heretofore made a special order of business for this hour, the same was considered at this time.

On motion of Senator Gesner, senate bill No. 172 was taken from the table.

Senate bill No. 172 was read third time.

Unanimous consent being given, Senator Bancroft amended the bill as follows:—

AMENDMENT.

In section 1 strike out the words "a dormitory, at a cost not to exceed ten thousand dollars."

AMENDMENT.

In section 2, line one, strike out the words "and all buildings that," and in second line "hereafter."

AMENDMENT.

In section 5, strike out the figures "\$4,000" and insert in lieu thereof the figures "\$1,000," and prefix before the last word in last line the word "hospital."

AMENDMENT.

In section 6, strike out the figures "\$18,000," and insert in lieu thereof the figures "\$5,000."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Beckley and McGinn—2.

So the bill passed.



There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 19.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 14, relating to the appointment of a joint committee to investigate as to necessary legislation in regard to the fishing industry, and report at the next session.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 14.

*Resolved by the House, the Senate concurring,* That a joint committee of the house and senate, consisting of three members of the house, to be appointed by the speaker, and two members of the senate, to be appointed by the president of the senate, be and hereby is created, to investigate, consider, and report to the legislative assembly at its nineteenth biennial session upon the subject of food fishes and legislation necessary for the protection and preservation of the same and the promotion of the fishing industries. Said committee shall serve without compensation.

On motion of Senator Bancroft, the senate concurred in the adoption of house joint resolution 14.

Senate bill No. 68 having been heretofore made a special order of business for this hour was considered at this time.

Senate bill No. 68 was read third time.

Senator Johnson moved the previous question.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Butler, Carter, Gesner, Gowan, Holt, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—18.

Nays—Senators Bancroft, Brownell, Denny, Maxwell, and Mr. President—5.

Absent—Senators Beckley, Calbreath, Cogswell, Dawson, Hobson, McGinn, and Patterson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 21, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills: senate bills Nos. 185 and 231.

W. S. DUNIWAY,  
Private secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 352,—a bill for an act to amend section 1153, title VI of chapter XV of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 298,—a bill for an act for the erection of additional buildings and the making of improvements for the Oregon soldiers' home, and to make an appropriation therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 303,—a bill for an act requiring railroads to furnish waiting-rooms in depots; also to furnish bulletin boards in the waiting-rooms, and to supply suitable and sufficient accommodations for passengers on cars.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 157,—a bill for an act to amend section 1510 (307), chapter XXIX, title I, Hill's annotated laws of Oregon (criminal procedure), relating to compelling attendance of witnesses.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 344,—a bill for an act declaring receipt of deposits by bank officials under certain conditions to be a felony, and provide punishment therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 18, relating to the time of adjournment of the eighteenth biennial session of the legislative assembly, with the following amendment: that the resolution be amended so as to read that the legislature adjourn Saturday, February 23, 1895, at 12 o'clock midnight.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Johnson, the senate concurred in the house amendment to senate concurrent resolution No. 18.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 125,—a bill for an act to prohibit the catching of salmon or other food fishes by means of fish wheels, fish traps or pound nets, or stationary gear.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 8.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 8, and soon thereafter declared that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has recalled house bill No. 17, now in your hands.

R. E. MOODY,  
Chief clerk.

On motion of Senator McClung, the senate complied with the request, and house bill No. 17 was returned to the house.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 21, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators McGinn and Beckley.

The chief clerk of the house called the roll of the house, and all the members were present, except Representative Smith of Linn.

The following named gentlemen were announced as paired on the vote for United States senator: McGinn with Smith of Linn.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Ore-

gon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—39.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. D. A. McAlister were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Scott, Tigard, Wright, Yates, and Mr. Speaker—29.

Those voting for Hon. J. B. Waldo were: Messrs. Craig and Hobson—2.

Total number of votes cast—87.

Absent and paired—3.

The president announced that as no person had received a majority of all the votes cast there had been no election, and directed that the roll of the joint convention be called for the purpose of taking a second ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGreer, Mintie, Moorhead, Myers, Patterson of Marion, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Josephine, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—39.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. A. Smith were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman,

Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Scott, Tigard, Wright, Yates, and Mr. Speaker—29.

Those voting for Hon. J. B. Waldo were: Messrs. Craig and Hobson—2.

Total number of votes cast—87.

Absent and paired—3.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Senator Bancroft, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:35 o'clock p. m., pursuant to adjournment, by the president.

Senator Woodard moved that the senate do adjourn until 2 o'clock p. m.

Senator Patterson moved to amend by making it 2:30 o'clock p. m. instead of 2 o'clock p. m.

The amendment prevailed.

The motion as amended prevailed.

The senate then adjourned.

WALTER SINCLAIR,  
Chief clerk.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Beckley and McGinn, who were absent on leave.

The president appointed Senators Bancroft and Patterson as committee on the part of the senate under house joint resolution No. 14.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 21, 1895. }

*To the Honorable the Senate of the State of Oregon:*

I have this day made the following appointment, and respectfully request its confirmation: Charles F. Beebe, to be brigadier-general of the national guard of the state of Oregon, to succeed H. B. Compson.

WILLIAM P. LORD,  
Governor.

On motion of Senator Gowan, the senate confirmed the appointment of Charles F. Beebe to be brigadier-general of the national guard of the state of Oregon.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 21, 1895. }

*To the Honorable the Senate of the State of Oregon:*

I have this day made the following appointments, and respectfully request their confirmation:

Members of the board of regents of the State Agricultural College: W. E. Yates, in place of J. M. Osburn; H. B. Miller, in place of John Emmitt; Benton Killin, in place of Bernard Daly; Daniel French, in place of W. A. Sample.

Members of the board of regents of the state university: A. Bush, to succeed himself; S. P. Sturgis, to succeed R. S. Bean; S. H. Friendly, to succeed M. P. Deady, deceased.

Members of the board of regents of the state normal school at Monmouth: Benjamin Schofield, to succeed himself; A. Noltner, to succeed himself; O. F. Paxton, to succeed W. H. Holmes.

Member of the board of regents of the state normal school at Weston: W. G. Lynn, to succeed W. M. Steen, deceased.

WILLIAM P. LORD,  
Governor.

On motion of Senator Alley, the nominations recommended by his excellency, the governor, in the foregoing message were confirmed.

The following communication was received from His Excellency, Governor Wm. P. Lord:—



## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
 SALEM, Oregon, }  
 February 21, 1895. }

*To the Honorable, the Senate of the State of Oregon:*

I have this day made the following appointments, and respectfully request their confirmation:

Members of the board of trustees of the Oregon soldiers' home: S. B. Ormsby, for the term of four years; B. F. Alley, for the term of four years; Wm. Galloway, for the term of two years; J. P. Robertson, for the term of two years; Henry Rust, for the term of two years.

WILLIAM P. LORD,  
 Governor.

On motion of Senator Bancroft, the nominations recommended by his excellency, the governor, in the foregoing message, were confirmed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 15, relating to the appointment of a joint committee on the part of the house and the senate, and to report to the next legislature upon the necessary revisions and codifications of the laws and changes required, etc.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE JOINT RESOLUTION NO. 15.

*Be it resolved by the House, the Senate concurring, That a joint committee of five members of this legislative assembly, to consist of three representatives, to be appointed by the speaker of the house, and two senators, to be appointed by the president of the senate, is hereby created to constitute and be known as the joint committee on revision and codification of the laws. Said committee shall continue in existence until and shall report to the legislative assembly at its next biennial session. It shall be the duty of said committee to consider and submit to the legislative assembly at its next regular session a report upon necessary re-*

vision and codification of the laws and changes required therein, together with suggestions and recommendations as to needful legislation in respect thereto; and they shall submit with their report a bill or bills for the consideration of the legislative assembly with a view to such necessary legislation. Said committee shall serve without compensation and shall not have power to employ any clerical assistance at the expense of the state.

House joint resolution No. 15 was referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 31, providing for the purchase of an oil painting of Governor Wm. P. Lord, similar to those of the various ex-governors, to be placed in the hall of representatives.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 31.

*Resolved by the House, the Senate concurring,* That the Secretary of State is hereby authorized and directed to order an oil painting of Governor Wm. P. Lord, similar to those of the various ex-governors, the same to be placed in the hall of representatives.

House concurrent resolution No. 31 was referred to the committee on ways and means.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 16, authorizing the secretary of state to have prepared, printed, and distributed, a roster of soldiers who served in the Indian wars of Oregon and Washington.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 16.

Whereas there is now pending before congress a bill for a law to reward with pensions,—like other soldiers of the republic,—soldiers who served in the Indian wars of Oregon from 1847–8 to 1855–6; and, whereas there is now in the hands of the state printer a record in stereotype plate of these early Indian wars of Oregon and Washington, compiled under authority of a joint resolution of the legislature of the state at its session of 1891, and a roster and other historical data of these wars (not yet in type, in the office of the secretary of state), compiled under the same authority; and whereas there are no more easily found and authentic records as to who were engaged in these Indian wars than these in the possession of the state, herein mentioned, would be, if published; therefore, be it

*Resolved by the House, the Senate concurring,* That the secretary of state have prepared from the data compiled under order of his predecessor (Hon. Geo. W. McBride), by T. C. Shaw, a roster of the soldiers who served in the Indian wars of Oregon and Washington, to add to the records of these wars now in type, and place the same in the hands of the state printer for publication and sale of two thousand copies, in accordance with the resolution before mentioned. The secretary of state is authorized, without further cost, to carry out the purpose of this resolution.

On motion of Senator Gesner, the senate concurred in the adoption of house joint resolution No. 16.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 15, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, house joint resolution No. 15 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 10, relating to the appointment by the president of a guardian who shall have charge of certain reserves.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 10.

Whereas there has been created a reserve, known as the Crater lake reserve; and whereas there has been no one in charge of said reserve; and whereas there has been within the limits of said reserve wanton destruction of timber by the ravages of fires, carelessly allowed to spread; and whereas all game within such reserve is being rapidly exterminated by hunters; and whereas the state of Oregon has no jurisdiction over said reserve; now, therefore, the legislature of the state of Oregon memorialize the president, and ask that he shall appoint a guardian, who shall have charge of said reserve, and who shall have authority to prevent any person or persons from despoiling the above mentioned reserve.

On motion of Senator Patterson, house joint memorial No. 10 was referred to the committee on public lands, with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 30, relating to the employment of extra clerks on the printing committee.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 30.

Whereas the printing committee, in its work of investigating the office of state printer, in pursuance of senate concurrent resolution No. 9, has been compelled to secure additional clerical aid; therefore, be it

*Resolved*, That the action of said committee be in that respect approved.

Amend by adding to the resolution the following: *provided*, that the said committee have not employed a greater number of clerks than the number permitted by the senate for the senate standing committee on printing.

On motion of Senator Patterson, the senate concurred in the adoption of house concurrent resolution No. 30.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 18, relating to the printing of more horticultural reports.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 18.

Whereas there is extensive call for copies of the third biennial report of the state board of horticulture from many of the states, and whereas the present edition is nearly exhausted; therefore, be it

*Resolved by the House, the Senate concurring*, That the Secretary of State be and hereby is instructed to furnish five thousand additional copies of the third biennial report of the state board of horticulture, and to deliver the same to the secretary of said board for general distribution.

On motion of Senator Huston, house joint resolution No. 18 was referred to the committee on horticulture, with leave to report at any time.

Senator Bancroft moved that the rules be suspended and the committee on fishing industries be allowed to report senate bills Nos. 71 and 49 now.

Senators Smith of Clatsop and Huston demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Cogswell, Holt, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Clatsop, Vanderburg, and Woodard—12.

Nays—Senators Alley, Bancroft, Brownell, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Maxwell, Smith of Sherman, Steiwer, and Mr. President—13.

Absent—Senators Beckley, Butler, Denny, McGinn, and Patterson—5.

So the senate refused to suspend the rules.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendment to house joint memorial No. 7.

R. E. MOODY,  
Chief clerk.

Senate bill No. 150 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Gowan, Holt, Huston, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—Senators Calbreath and McClung—2.

Absent—Senators Alley, Beckley, Denny, Gesner, Hobson, Johnson, and McGinn—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 86 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators King and Price—2.

Nays—Senators Bancroft, Brownell, Butler, Calbreath, Carter,

Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, Steiwer, Vanderburg Woodard, and Mr. President—22.

Absent—Senators Alley, Beckley, Cogswell, Gesner, McGinn, and Smith of Clatsop—6.

So the bill failed to pass.

Unanimous consent being first obtained, Senator Patterson introduced senate resolution No. 20.

#### SENATE RESOLUTION NO. 20.

*Resolved by the Senate*, That the Secretary of State be and is hereby directed to pay the following persons the amounts herein named and for the time actually employed, they having been appointed by the sergeant-at-arms, by direction of the president of the senate, to assist in preserving order during the meetings of the joint convention, to wit: A. N. Hamilton, three dollars per day; G. G. Gans, three dollars per day; J. E. Howard, three dollars per day; Chas. Calvert, three dollars per day; and Roy Simeral, state printer's senate page, two dollars and fifty cents per day.

Senator Patterson moved the adoption of the resolution.

Senators Vanderburg and Holt demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Maxwell, Patterson, Price, Steiwer, Woodard, and Mr. President—16.

Nays—Senators Carter, Holt, Huston, Johnson, McClung, Smith of Sherman, Smith of Clatsop, and Vanderburg—8.

Absent—Senators Beckley, Calbreath, King, McAlister, Raley, and McGinn—6.

So the resolution was adopted.

Unanimous consent being first obtained, Senator Denny introduced senate joint memorial No. 7.

#### SENATE JOINT MEMORIAL NO. 7.

Whereas removals of letter carriers, postoffice clerks, and railway postal clerks are often made unjustly; and whereas the efficiency of the service would be promoted if tenure of office were dependent upon good behavior and efficiency; therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon*, That the passage of senate bill No. 2523, which reads as follows, be requested of congress, and that copies duly certified of this memorial be forwarded to both houses of congress:

Fifty-third congress; third session. S. 2523. In the senate of the United States, January 8, 1895, Mr. Lodge introduced the following bill, which was read twice and referred to the committee on postoffices and post-roads:

A bill to regulate the mode of removal of letter carriers, post-office clerks, and railway postal clerks.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled:*

That on and after the passage of this act no letter carrier, post-office clerk, or railway postal clerk shall be removed or requested to resign (except when arrested for a crime, when suspension or removal may take place at once in the discretion of the postmaster-general) until after written charges shall have been preferred against him, and after the charges shall have been examined into by the postoffice department, upon such reasonable notice to the person charged, and in such manner of examination as the regulations of the postoffice department may prescribe, but letter carriers, postoffice clerks, or railway postal clerks may be suspended by the postmaster-general pending the examination herein provided for.

The question being, "Shall senate joint memorial No. 7 be adopted?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Carter, Dawson, Denny, Gowan, Hobson, Johnson, King, Maxwell, Price, Steiwer, and Mr. President—13.

Nays—Senators Cogswell, Gesner, Holt, Huston, McClung, Smith of Clatsop, Vanderburg, and Woodard—8.

Absent—Senators Alley, Beckley, Butler, Calbreath, McAlister, McGinn, Patterson, Raley, and Smith of Sherman—9.

So senate joint memorial No. 7 was adopted.

Senator Alley, chairman of the special committee appointed under senate resolution No. 11, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your special committee, appointed under senate resolution No. 11, to examine the books and accounts of the state librarian and to ascertain the condition and requirements of the state library, beg leave to report that we find that the books and accounts of the state librarian have been accurately and neatly kept. The



SENATE.

been kept within the ap-

of the above accounts are  
state.

rules for the government  
librarian. A large num-  
ted for which there is no  
owing to the inadequate

that an appropriation of  
purpose of providing such

additional bookcases as may be required for the proper care of the volumes now accumulating.

We recommend that the clerk of this committee be allowed five dollars per day for the time actually employed.

B. F. ALLEY.

WILL R. KING.

TOLBERT CARTER.

On motion of Senator Alley, the report was adopted and placed on file.

Senate bill No. 191 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Huston, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—Senators Hobson and Holt—2.

Absent—Senators Beckley, Butler, Denny, McAlister, McGinn, Smith of Clatsop, and Smith of Sherman—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 186.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 85.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

# REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate concurrent resolutions Nos. 18 and 19, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Vanderburg moved to take senate bill No. 69 from the table.

Senators Huston and Vanderburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Butler, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, King, Maxwell, Price, Smith of Clatsop, Steiwer, Vanderburg, and Woodard — 16.

Nays — Senators Alley, Bancroft, Brownell, Calbreath, Gowan, McClung, and Mr. President — 7.

Absent — Senators Beckley, Johnson, McAlister, McGinn, Patterson, Raley, and Smith of Sherman — 7.

So senate bill No. 69 was taken from the table.

Senator Alley moved that the amendments to senate bill No. 69 be indefinitely postponed.

Senators Huston and Vanderburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Calbreath, Dawson, Gowan, McClung, and Mr. President — 7.

Nays — Senators Brownell, Butler, Carter, Cogswell, Denny, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, Price, Smith of Clatsop, Steiwer, Vanderburg, and Woodard — 16.

Absent — Senators Beckley, King, McAlister, McGinn, Patterson, Raley, and Smith of Sherman — 7.

So the senate refused to indefinitely postpone the amendments.

Senator Vanderburg moved the adoption of the first amendment to senate bill No. 69.

Senators Vanderburg and Huston demanded the ayes and nays.  
On this question the roll was called and the vote was:

Those voting aye were—

Senators Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Hobson, Huston, Johnson, Price, Smith of Clatsop, and Steiwer—12.

Nays—Senators Alley, Bancroft, Gowan, Holt, King, Maxwell, McClung, Vanderburg, Woodard, and Mr. President—10.

Absent—Senators Beckley, Denny, Gesner, McAlister, McGinn, Patterson, Raley, and Smith of Sherman—8.

So the amendment was adopted.

Senator Vanderburg moved the adoption of the second amendment.

Senators Vanderburg and Huston demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Carter, Denny, Hobson, Holt, Huston, Johnson, Maxwell, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, and Woodard—13.

Nays—Senators Alley, Bancroft, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, King, McAlister, McClung, Raley, Vanderburg, and Mr. President—14.

Absent—Senators Beckley, Calbreath, and McGinn—3.

So the amendment was lost.

Senator Vanderburg moved the adoption of the third amendment.

Senators Vanderburg and Huston demanded the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Carter, Hobson, Holt, Price, Steiwer, Vanderburg, and Woodard—7.

Nays—Senators Alley, Bancroft, Brownell, Butler, Cogswell, Dawson, Denny, Gowan, Johnson, King, Maxwell, McAlister, McClung, Patterson, Raley, Smith of Sherman, and Mr. President—17.

Absent—Senators Beckley, Calbreath, Gesner, Huston, McGinn, and Smith of Clatsop—6.

So the amendment was lost.

On motion of Senator Alley, senate bill No. 69 was ordered engrossed and to third reading tomorrow.

On motion of Senator Dawson, at 5:10 o'clock p. m., the senate adjourned until 7:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

The senate was called to order at 7:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senators Beckley and McGinn, who were absent on leave.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 70.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 30, and house joint resolution No. 13.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 13, and house joint resolution No. 14.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 384,—a bill for an act to validate and legalize certain city hall bonds of Portland, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has ordered house bill No. 17 to be returned to the senate to take its regular place upon the senate calendar.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill 244.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house joint resolutions Nos. 13 and 14, and house concurrent resolutions Nos. 13 and 30, and soon thereafter declared that he had signed the same.

Senator Gesner, chairman of the committee on public buildings, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee on public buildings would respectfully submit the following report of the condition of the Oregon insane asylum:

At the asylum we found everything running with a system and despatch that reflect credit on the management; cleanliness, order, and neatness prevailed in every department, and we saw no evidence of waste or mismanagement.

We investigated the estimates for appropriations for the ensuing term, as recommended by the superintendent and approved by the board of trustees, and find them all essential and moderate, and urge that they be granted.

We further recommend the following items, which we think are necessary:

The barn at the main institution has become decayed and insecure, necessitating many general repairs, and should have a good shed added; the cost of such repairs and additions would be about two thousand dollars. A shed is badly needed for storing straw used for filling beds; a suitable structure could be erected for eight hundred dollars.

Three catch-basins should be supplied to improve the sewerage system; their cost would amount to two hundred dollars. A hot water heater with pump and lifter would soon save its cost in fuel by supplying hot instead of cold water to the large boilers; such apparatus would cost five hundred dollars.

The cemetery at the main institution will soon have to be abandoned on account of its proximity to the city; we therefore recommend the preparation of one at the cottage farm, for which two hundred dollars should be appropriated.

The buildings at the main institution are so extensive that a system of telephones would greatly facilitate its management and save a great deal of labor. Suitable telephones can now be purchased outright for twelve or fifteen dollars apiece, so that the necessary instruments and wiring could be supplied for five hundred dollars.

The convenience of the main building would also be greatly increased by an elevator, the estimated cost of which is one thousand dollars.

The new building at the cottage farm, five miles from the main building, comprising a cottage for male patients with a capacity for seventy-five, a cottage for female patients of similar dimen-

sions, a congregate dining-hall capable of seating two hundred persons, and a building for engine-room, laundry, and tank tower combined, are all substantially constructed and handsome buildings, well arranged for the purpose for which they are intended. The basements, which are much needed for storerooms, can be but little used during the wet seasons on account of having dirt floors. We would recommend that cement floors be put in each, which would greatly increase their utility and render them dry and more healthful. The estimated cost of such an improvement is about four hundred dollars.

While economy seems to prevade every department connected with the asylum, may it be said to the credit of Superintendent Rowland that he has kept all buildings and improvements in the best of repairs, not seeking to make a showing of economy by allowing the various state buildings and improvements to lapse into decay.

Respectfully submitted.

ALONZO GESNER,  
Chairman.

On motion of Senator Gesner, the report was adopted and ordered spread upon the minutes.

Senator Denny, chairman of the special committee on the part of the senate under senate concurrent resolution No. 4, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

We, your committee, appointed under senate concurrent resolution No. 4 to examine the books and accounts of the secretary of state, beg leave to report that we met on the twenty-sixth day of January, 1895, and employed, in accordance with the authority granted in said concurrent resolution, two competent experts and two clerks.

They have carefully examined each voucher, and report that they were all made out according to law, each being duly approved, sworn to, and signed. They have compared the warrant stubbooks, abstract-books, and sub-fund books and ledgers, and declare that after making proper trial balances and testing each account and balance separately they found the balances in each case to be correct. They have also checked off the treasurer's receipts for moneys received, four thousand eight hundred and thirty-four in number, filed in the secretary's office, and compared them



with the abstract-books and ledgers and assure us that not a single error was discovered.

We found a marked increase in the business of the office within the last two years, nine thousand nine hundred and twenty-four warrants having been drawn during that period against six thousand two hundred and eighteen during the preceding two years. The number of these warrants could, however, be greatly reduced if a different system for the payment of the employes at the several state institutions was adopted. For instance, it is now the custom to make out the pay rolls of the insane asylum, have them signed by the employes, and, after they have been audited and approved by the board of asylum trustees, to issue a warrant to each one of the hundred employes. These men have then to go to the treasurer's office, or give written authority to some other person, to draw their money. The plain, economical, business way would be to have these pay rolls made out in duplicate, and, after they have been properly audited and approved by the board, for the secretary to issue his warrant for the entire amount of the roll in favor of the superintendent, who then ought to draw the money and pay all the employes at the same time. After having been duly signed by the employes at the time they receive their money, one copy should be retained by the superintendent for his own protection, and the other filed with the secretary of state as a voucher. This same system for the payment of employes ought to be adopted at all the other state institutions. We would call your attention to what Secretary McBride said upon this subject in his report of 1893: "The estimates for additional clerical service in this office are based upon present necessities; but the amount and cost of clerical service will be increased before the close of the ensuing term unless the law requiring a separate warrant to be issued in payment of the quarterly salary of each person employed in any of the state institutions be amended. A saving in the cost of clerical service could be effected by a law providing that the duly approved pay rolls of each public institution should be paid by one warrant, drawn in favor of the superintendent of such institution, whose duty it should be to pay the several amounts due to the individual employes according to such pay roll. A bond could be required of the superintendent of each institution, so that the state would be fully protected in every way. I am informed that this is the practice in many states, and there seems to be no reasonable objection to its adoption in Oregon."

As above stated the experts and clerks employed by this committee checked off four thousand eight hundred and thirty-four receipts for moneys received by the treasurer. These moneys are paid by the different parties owing the state to the treasurer

and he gives his separate receipt for each payment. These payments are entered into proper books by the treasurer and duplicate receipts filed with the secretary, who, in his turn, records them in books in his office but has no personal knowledge of these transactions or their correctness; his keeping these books is, therefore, though required by law, no check whatever upon the books of the state treasurer and of no practical value.

We find the records in the secretary's office in first-class condition and skillfully kept, and his clerical force attentive, courteous, and competent, but the manner of keeping some of the accounts and books could be greatly simplified and much unnecessary labor avoided.

We find that no account of the session laws, journals, supreme court reports, stationery, fuel, furniture, and other property purchased by or coming into the hands of the secretary of state, has ever been kept or been required by law to be kept since the organization of the state government, and, while the retiring secretary of state has exercised great diligence in taking proper care of and in the expenditure of all property and the distribution of the books according to law, it appears to us that the secretary ought to keep an account of all these transactions and render a full report regarding the receipt and disposition of all property belonging to the state and coming in his possession or under his control. We would therefore recommend that the secretary of state be required to take an inventory of all the property of the state turned over to him by the outgoing secretary or found in the capitol building of the state and hereafter make out an annual return, showing the property on hand at the beginning of the year, the property purchased or received during the year, the expenditures made during the year, and the balance on hand at the end of the year. All expenditures ought to be supported by proper vouchers exhibiting how the different articles were used or to whom issued.

Section 2 of article VI of the constitution of the state of Oregon provides that the secretary of state "shall be, by virtue of his office, auditor of public accounts," and subdivision 7 of section 2207 of the laws of Oregon (Hill's annotated codes and general laws of Oregon) provides that the secretary shall "examine and determine the claims of all persons against the state in cases where provisions for the payment thereof shall have been made by law, and to indorse upon the same the amount due and allowed thereon, and from what fund the same is to be paid, and draw a warrant upon the treasurer for the same; and he shall report to the legislature, at the commencement of each regular session a complete list of all accounts so audited \* \* \*."

We would point out to your honorable body, without wishing

to reflect upon the manner in which the provisions of the above law, based upon an article in our state constitution, have been carried out and attended to by the gentlemen that have filled the office of secretary of state, that the principle of making a disbursing officer the auditor of his own accounts and those of his fellow-officers in the state government is wrong and not productive of the best results. The auditor ought to be an officer entirely distinct and separate of and in no way connected with any of the departments, boards, and commissions authorized to contract any indebtedness on behalf of the state. It ought to be the duty of the auditor to examine and pass upon the legality and reasonableness of any claim against the state, contracted by any department or officer of the state before a warrant is drawn for the payment of the same. But the creation of such an office would require an amendment to the constitution authorizing the same and defining its duties. In connection with this matter we would refer you to the statements and recommendations upon this subject made by Secretary McBride in his report of 1893.

In conclusion, we beg to report that after a most thorough and searching investigation we found that the office of the secretary of state has been kept in a creditable, efficient, and proper manner.

All of which is respectfully submitted.

O. N. DENNY.  
N. L. BUTLER.  
JOHN D. DALY.  
FRANK A. STEWART.  
H. V. GATES.

On motion of Senator Bancroft, the report was adopted and ordered spread on the minutes.

Senate bill No. 223 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—Senators Brownell, Holt, and Johnson—3.

Absent—Senators Beckley, Cogswell, Hobson, Huston, and McGinn—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson, chairman of the committee on ways and means, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

Your committee on ways and means, to whom was referred house concurrent resolution No. 31, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, the senate concurred in the adoption of house concurrent resolution No. 31.

Senate bill No. 129 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Holt, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 23.

Nays — None.

Absent — Senators Alley, Beckley, Gowan, Hobson, Huston, McGinn, and Raley — 7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 147 coming on for third reading, on motion of Senator Steiwer, the bill was laid on the table.

Senate bill No. 43 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were —

Senators Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley,

Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Alley, Beckley, Hobson, and McGinn—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 85, 186, and 244, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senate bill No. 17 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Carter, Cogswell, King, McAlister, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—13.

Nays—Senators Alley, Butler, Calbreath, Dawson, Denny, Gowan, Huston, Johnson, Maxwell, McClung, and Raley—11

Absent—Senators Beckley, Gesner, Hobson, Holt, McGinn, and Patterson—6.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 32, suspending joint rule XI in so far as it relates to the consideration of house bill No. 382, the same being the general appropriation bill.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 32.

*Be it resolved by the House, the Senate concurring,* That joint rule XI be suspended in so far as it relates to the consideration of house bill No. 382, so that said bill may pass between both houses between now and the adjournment of the eighteenth session of the Oregon legislature.

On motion of Senator Cogswell, the senate concurred in the adoption of house concurrent resolution No. 32.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 7, amending section 4, article II of the state constitution.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 7.

*Be it enacted by the House, the Senate concurring,* That the following amendment to the constitution of the state of Oregon be and is hereby proposed: That section 14 of article II of the constitution of the state of Oregon be and the same is hereby abrogated and in lieu thereof section 14 of article II of the constitution of the state of Oregon, shall be as follows:—

Section 14. General elections shall be held on the Tuesday next after the first Monday in November biennially.

Senator McClung moved the adoption of the resolution.

On motion of Senator Gesner, the resolution was referred to the committee on judiciary.

Senator Calbreath, having heretofore given notice, now moved that the vote by which senate bill No. 6 failed to pass be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Butler, Calbreath, Denny, Gowan, Johnson, McClung, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—14.

Nays—Senators Alley, Carter, Cogswell, Gesner, Holt, Huston, King, Maxwell, Smith of Clatsop, Smith of Sherman, and Vanderburg—11.

Absent—Senators Beckley, Dawson, Hobson, McAlister, and McGinn—5.

So the senate refused to reconsider the vote by which senate bill No. 6 failed to pass.

Senate bill No. 82 coming on for third reading, was read third time.

There being no objection, Senator Cogswell amended the bill as follows: In section 1, line seven, after the words "county clerk," insert the words "or clerk of the county court."

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Gowan, Holt, Huston, Johnson, King, Maxwell, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Dawson, Denny, Gesner, Hobson, McAlister, McGinn, and Patterson—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson moved that the senate adjourn.

The motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 362,—a bill for an act to provide for the creation of a fund for the maintenance of a state mining and geological bureau for the state of Oregon, and declaring an emergency.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate concurrent resolutions Nos. 18 and 19.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 85, 186, and 244.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate concurrent resolutions Nos. 18 and 19, and senate bills Nos. 85, 186, and 244, and soon thereafter declared that he had had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 257,—a bill for an act to amend section 1971 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senate bill No. 131 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell,



Gowan, Huston, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—20.

Nays—Senators Gesner, Holt, and Mr. President—3.

Absent—Senators Beckley, Carter, Dawson, Denny, Hobson, McAlister, and McGinn—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 116 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Hobson, McAlister, McClung, McGinn, and Raley—9.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Cogswell moved that the senate do now adjourn.

The motion was lost.

Senate bill No. 119 coming on for third reading, on motion of Senator Patterson, the bill was laid on the table.

Senate bill No. 22 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Butler, Calbreath, Gesner, Holt, King, and Vanderburg—6.

Nays—Senators Alley, Bancroft, Brownell, Cogswell, Gowan, Huston, Johnson, Maxwell, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—14.

Absent—Senators Beckley, Carter, Dawson, Denny, Hobson, McAlister, McClung, McGinn, Patterson, and Raley—10.

So the bill failed to pass.

Senate bill No. 200 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Denny, Gesner, Gowan, Holt, Huston, King, Maxwell, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—21.

Nays—Senators Johnson and Woodard—2.

Absent—Senators Beckley, Carter, Dawson, Hobson, McAlister, McClung, and McGinn—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 203 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Cogswell, Dawson, Gesner, Gowan, Johnson, Maxwell, and Patterson—9.

Nays—Senators Bancroft, Holt, Huston, King, McClung, Price, Raley, Smith of Clatsop, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—13.

Absent—Senators Beckley, Butler, Calbreath, Carter, Denny, Hobson, McAlister, and McGinn—8.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 99.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

On motion of Senator Maxwell, the senate, at 10:15 o'clock p. m., adjourned.

WALTER SINCLAIR,  
Chief clerk.

FRIDAY, FEBRUARY 22, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Beckley and McGinn, who were absent on leave.

The morning session of the senate was opened with prayer by Rev. J. Bowersox.

On motion of Senator Dawson, the reading of the journal of the proceedings of yesterday was dispensed with.

Senator Steiwer, chairman of the committee on public lands, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee on public lands, to whom was referred house joint memorial No. 10, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

W. W. STEIWER,  
Chairman.

Senator Steiwer moved that the senate concur in house joint memorial No. 10.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Butler, Denny, Gesner, Johnson, McGinn, Patterson, and Smith of Sherman—8.

So the senate concurred in house joint memorial No. 10.

Senator McGinn, chairman of the committee on engrossed bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 69, beg leave to report the same back to the senate as correctly engrossed.

H. E. MCGINN,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 70 and 99, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

The president appointed, under house joint resolution No. 13, Senators Woodard and Raley as committee on part of the senate.

Unanimous consent being given, Senator Cogswell introduced senate resolution No. 21.

SENATE RESOLUTION NO. 21.

*Resolved*, That the Secretary of State be directed to draw his warrant in favor of George Nickerson for the sum of sixty dollars for fifteen days' service as clerk of committee on rules and joint rules and expediting books at stove foundry at penitentiary, under senate resolution No. 10.

On motion of Senator Cogswell, the resolution was adopted.  
adopted.

Unanimous consent being given, Senator Huston introduced senate resolution No. 22.

SENATE RESOLUTION NO. 22.

*Resolved by the Senate*, That the roll of senators shall be called alphabetically and each member, when his name is called, may

call up any house bill which he desires. Speeches shall be limited to one minute and one speech on each bill, but this shall not apply to the member in charge of a bill, nor shall it apply to the consideration of house bill No. 382. The member in charge of a bill may speak twice, not to exceed five minutes.

Senator Huston moved the adoption of the resolution.

On motion of Senator Bancroft, further consideration of the resolution was indefinitely postponed.

House bill No. 318 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 42 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 71 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 32 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 195 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 37 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 199 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 124 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 46 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 220 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 6 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 212 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 143 coming on for first reading, on motion of Senator Bancroft, the bill was laid on the table.

House bill No. 252 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 325 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 348 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 245 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 9 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 347 coming on for first reading, was read first time.

On motion of Senator Cogswell, further consideration of house bill No. 347 was indefinitely postponed.

House bill No. 126 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 45 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 237 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 117 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 31 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 19 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 119 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 283 coming on for first reading, was read first time and passed to second reading without question.

Senator Huston moved that the rules be suspended and that house bill No. 283 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Cogswell, Dawson, Denny, Gowan, McGinn, Patterson, and Smith of Clatsop—8.

So the rules were suspended and house bill No. 283 was read second time by title only.

Senator Huston moved that the rules be further suspended and that house bill No. 283 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Dawson, Denny, Gowan, King, McClung, McGinn, Patterson, and Smith of Clatsop—9.

So the rules were suspended and house bill No. 283 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Dawson, Denny, Gowan, McGinn, McClung, and Patterson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895.

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 7, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that the senate do concur.

O. N. DENNY,  
Chairman.

Senator Denny moved that the senate do concur in house joint resolution No. 7.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Carter, Cogswell, Denny, Hobson, Holt, Johnson, McAlister, Raley, Vanderburg, and Mr. President—12.

Nays—Senators Bancroft, Butler, Calbreath, Dawson, Gesner, Huston, King, Maxwell, McClung, Smith of Clatsop, Steiwer, and Woodard—12.

Absent—Senators Beckley, Gowan, McGinn, Patterson, Price, and Smith of Sherman—6.

So the senate refused to concur.

House bill No. 186 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 53 coming on for first reading, was read first time and passed to second reading without question.



House bill No. 173 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 25 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 206 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 132 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 242 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 1 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 193 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 207 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 309 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 43 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 279 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 138 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 155 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 294 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 93 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 107 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 165 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 159 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 23 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 343 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 361 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 381 was read first time and passed to second reading without question.

Senator Cogswell moved that the rules be suspended and that house bill No. 381 be read second time by title only.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Gesner, Hobson, Holt, Johnson, King, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Calbreath, Dawson, Denny, Gowan, Huston, Maxwell, McAlister, McGinn, and Patterson—10.

So the rules were suspended and house bill No. 381 was read second time by title only.

Senator Cogswell moved that the rules be further suspended and that house bill No. 381 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Butler, Calbreath, Dawson, Denny, Maxwell, McAlister, McGinn, and Patterson—10.

So the rules were suspended and house bill No. 381 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Denny, Maxwell, McGinn, Patterson, and Smith of Sherman—10.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 380 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 208 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 248 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 366 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 17 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 185 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 114 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 375 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 260 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 280 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 295 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 140 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 87 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 251 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 327 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 13 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 55 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 89 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 258 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 94 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 263 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 302 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 383 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 146 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 222 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 205 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 229 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 26 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 40 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 125 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 374 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 14 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 111 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 373 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 92 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 224 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 151 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 304 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 363 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 291 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 331 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 62 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 338 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 314 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 306 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 342 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 160 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 157 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 257 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 362 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 384 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 298 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 352 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 303 coming on for first reading, was read first time and passed to second reading without question.

House bill No. 330 coming on for first reading, was read first time and passed to second reading without question.

Senator Smith of Clatsop moved that the rules be suspended and that house bill No. 42 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Brownell, McGinn, Patterson, and Price—5.

So the rules were suspended and house bill No. 42 was read second time by title only.

Senator Bancroft moved that the rules be suspended and that house bill No. 318 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Hobson, Holt, Johnson, McGinn, and Patterson—8.

So the rules were suspended and house bill No. 318 was read second time by title only.

On motion of Senator Johnson, house bill No. 318 was referred to the committee on assessment and taxation, with leave to report at any time.

Senator Woodard moved that the rules be suspended, and that house bill No. 71 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Beckley, Butler, Carter, Cogswell, Denny, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Bancroft, Brownell, Calbreath, Dawson, Gesner, Gowan, McGinn, and Patterson—8.

So the rules were suspended and house bill No. 71 was read second time by title only.

On motion of Senator Woodard, house bill No. 71 was referred to the committee on judiciary, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 166.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator McAlister moved that the rules be suspended, and that house bill No. 32 be read second time title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Cogswell, Dawson, Denny, Gesner, McGinn, and Smith of Sherman—8.

So the rules were suspended and house bill No. 32 was read second time by title only.

House bill No. 32 was referred to the committee on counties, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 33.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Denny moved that the rules be suspended and that house bill No. 195 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Brownell, Dawson, Gesner, and McGinn—5.

So the rules were suspended and house bill No. 195 was read second time by title only.

House bill No. 195 was referred to the committee on judiciary, with leave to report at any time.

Senator McClung moved that the rules be suspended and that house bill No. 37 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—26.

Nays—None.

Absent—Senators Beckley, Brownell, Dawson, and McGinn—4.

So the rules were suspended and house bill No. 37 was read second time by title only.

House bill No. 37 was ordered to third reading.

Senator Denny moved that the rules be suspended and that house bill No. 199 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Nays—None.

Absent—Senators Beckley and McGinn—2.

So the rules were suspended and house bill No. 199 was read second time by title only.

On motion of Senator Denny, house bill No. 199 was referred to the committee on judiciary, with leave to report at any time.

Senator Alley moved that the rules be suspended and that house bill No. 46 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Carter, and McGinn—3.

So the rules were suspended and house bill No. 46 was read second time by title only.

House bill No. 46 was referred to the committee on agriculture and forestry, with leave to report at any time.

Senator McClung moved that the rules be suspended and that house bill No. 124 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Bancroft, Beckley, and McGinn—3.

So the rules were suspended and house bill No. 124 was read second time by title only.

On motion of Senator McClung, house bill No. 124 was ordered to third reading.

Senator Cogswell moved that the rules be suspended and that house bill No. 220 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Brownell, and McGinn—3.



So the rules were suspended and house bill No. 220 was read second time by title only.

On motion of Senator Cogswell, house bill No. 220 was ordered to third reading.

House bill No. 6 coming on for second reading, Senator Woodard moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Maxwell, and McGinn—3.

So the rules were suspended and house bill No. 6 was read second time by title only.

House bill No. 6 was referred to the committee on commerce and navigation, with leave to report at any time.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 22, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senators McGinn and Beckley.

The chief clerk of the house called the roll of the house, and all the members were present, except Representative Rinearson.

The following named gentlemen were announced as paired on the vote for United States senator: McGinn with Rinearson.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called



for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—37.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. H. Smith were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—30.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. C. W. Fulton were: Mr. Mintie—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Total number of votes cast—87.

Absent and paired—3.

The president announced that as no person had received a majority of all the votes cast there had been no election.

On motion of Senator Cogswell, the joint convention adjourned.

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#### IN THE SENATE.

The senate was called to order at 12:35 o'clock p. m., by the president.

On motion of Senator Patterson, the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Beckley and McGinn, who were absent on leave.

Senator Gesner, chairman of the special committee appointed under senate resolution No. 16, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your special committee, appointed under senate resolution No. 16, to ascertain the amount per diem and mileage due the members of the senate, beg leave to report that we have had the same under consideration, and respectfully report that we find the following amounts due the members:

Name.	Miles.	Days.	Amounts.
B. F. Alley	660	40	\$ 219 00
F. A. Bancroft	524	40	198 60
Henry Beckley	686	40	222 90
Geo. C. Brownell	72	40	130 80
N. L. Butler	32	40	124 80
J. F. Calbreath	208	40	151 20
Tolbert Carter	60	40	129 00
C. A. Cogswell	1,422	40	333 30
S. A. Dawson	68	40	130 20
O. N. Denny	104	40	135 60
Alonzo Gesner	414	40	182 10
A. W. Gowan	1,560	40	354 00
W. H. Hobson	36	40	125 40
S. H. Holt	552	40	202 80
S. B. Huston	144	40	141 60
A. J. Johnson	132	40	139 80
Will R. King	820	40	243 00
J. W. Maxwell	900	40	255 00
D. A. McAlister	720	40	228 00
J. H. McClung	820	40	168 00
H. E. McGinn	104	40	135 60
I. L. Patterson	436	40	185 40
A. B. Price	612	40	211 80
J. H. Raley	608	40	211 20
Joseph Simon	104	40	215 60
J. A. Smith	352	40	172 80
John H. Smith	624	40	213 60
W. W. Steiwer	508	40	196 20
W. S. Vanderburg	452	40	187 80

## AMOUNTS DUE MEMBERS—CONCLUDED.

<i>Name.</i>	<i>Miles.</i>	<i>Days.</i>	<i>Amounts.</i>
C. H. Woodard.....	104	40	\$ 135 60
Also mileage for the following clerks—			
Chas. H. Blumenrother.....	208		31 20
E. A. Worswicke.....	208		31 20
Saml. L. Lovell.....	500		75 00

ALONZO GESNER,  
Chairman.

On motion of Senator Gesner, the report was adopted.  
Senator Calbreath introduced senate resolution No. 23.

## SENATE RESOLUTION NO. 23.

*Resolved*, That Miss Emma Dickinson be allowed the same compensation as the other clerks on the committee on enrolled bills, dating from February 12, 1895, until the close of the session of the legislature.

On motion of Senator Calbreath, the resolution was adopted.  
Senator Butler introduced senate resolution No. 24.

## SENATE RESOLUTION NO. 24.

*Resolved*, That the Secretary of State be instructed to furnish each member of the senate with one copy each of volumes XXVI and XXVII of the supreme court reports of Oregon.

On motion of Senator Butler, the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 233 with the following amendment:

## AMENDMENT.

The council shall have exclusive control and direction of all funds collected under general laws for improvement of roads and streets within said corporation, and the street superintendent shall perform the duties of supervisors as required by the general laws of this state relating to streets and highways, but he shall report to and be under the direction of the city council and

not to the board of county commissioners of Clackamas county; *provided*, that the city council may by ordinance direct any or all of such fund collected for road purposes to be expended on any county road leading into Oregon City when in their judgment it would be benefited thereby; *provided*, that the city council shall turn over to the county court of Clackamas county forty per cent. of the funds so collected each year, and the same shall be expended under the direction of said county court on main county roads leading into Oregon City.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has requested the return to the senate senate bill No. 233, to take its place as of the 18th.

And the same is herewith returned to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has recalled senate bill No. 233 now in the hands of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Brownell, the messages and bill were laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 74.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 28.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 2.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 112.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 24.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 33 and 166.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 70 and 99.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES. }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint resolution No. 16, house concurrent resolutions Nos. 32 and 31.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 33, 166, 70, and 99, house joint resolution No. 16, house concurrent resolutions Nos. 32 and 31, and soon thereafter declared that he had signed the same.

Senator Raley introduced senate resolution No. 25.

SENATE RESOLUTION NO. 25.

*Resolved,* That whereas the clerical work of the session has been performed by forty-six less persons than at the seventeenth session, the officers, clerks, committee clerks of the senate, and

pages shall receive the same compensation at this session as was then allowed.

Senator Raley moved the adoption of the resolution.

Senators Gesner and McClung demanded the ayes and nays.

Senator Denny moved to refer senate resolution No. 25 to the committee on ways and means.

The motion to refer was lost.

Senator Johnson moved to indefinitely postpone further consideration of senate resolution No. 25.

Senators Johnson and Holt demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Calbreath, Carter, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—19.

Nays—Senators Alley, Brownell, Butler, Cogswell, Gowan, Maxwell, McAlister, Raley, and Smith of Sherman—9.

Absent—Senators Beckley and McGinn—2.

So senate resolution No. 25 was indefinitely postponed.

Senator Vanderburg moved that the rules be suspended and that house bill No. 212 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Calbreath, McClung, McGinn, and Price—5.

So the rules were suspended and house bill No. 212 was read second time by title only.

On motion of Senator Vanderburg, house bill No. 212 was ordered to third reading.

Senator Vanderburg moved that the rules be suspended and that house bill No. 252 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—28.

Absent—Senators Beckley and McGinn—2.

So the rules were suspended and house bill No. 252 was read second time by title only.

On motion of Senator Vanderburg, house bill No. 252 was ordered to third reading.

Senator Dawson moved that the rules be suspended and that house bill No. 325 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, Patterson, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Bancroft, Beckley, Brownell, Calbreath, Johnson, McClung, McGinn, and Raley—8.

So the rules were suspended and house bill No. 325 was read second time by title only.

House bill No. 325 was referred to a special committee, consisting of the senators from Multnomah county.

Senator Bancroft moved that the rules be suspended and that house bill No. 348 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—21.

Nays—None.

Absent—Senators Beckley, Cogswell, Dawson, Denny, Huston, McAlister, McGinn, Smith of Sherman, and Mr. President—9.

So the rules were suspended and house bill No. 348 was read second time by title only.

House bill No. 348 was ordered to third reading.

Senator Price moved that the rules be suspended, and that house bill No. 245 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, Patterson, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Cogswell, Johnson, McClung, McGinn, Price, and Smith of Sherman—7.

So the rules were suspended and house bill No. 245 was read second time by title only.



On motion of Senator Price, house bill No. 245 was ordered to third reading.

Senator Price moved that the rules be suspended and that house bill No. 9 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Denny, Gowan, Hobson, Holt, King, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Cogswell, Dawson, Gesner, Huston, Johnson, Maxwell, McAlister, McGinn, and Smith of Sherman—10.

So the rules were suspended and house bill No. 9 was read second time by title only.

House bill No. 9 was ordered to third reading.

Senator Gowan moved that the rules be suspended and that house bill No. 126 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—20.

Nays—None.

Absent—Senators Beckley, Cogswell, Dawson, Denny, Huston, McAlister, McGinn, Patterson, Smith of Sherman, and Mr. President—10.

So the rules were suspended and house bill No. 126 was read second time by title only.

On motion of Senator Gowan, house bill No. 126 was ordered to third reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895: }

*Mr. President:*

Your committee on judiciary, to whom was referred senate concurrent resolution No. 17, beg leave to report that we have

had the same under consideration, and respectfully report it back to the senate with the recommendation that it be adopted.

O. N. DENNY,  
Chairman.

Senator Holt moved to amend by substituting 12 o'clock February 23d, instead of February 22d at 3 o'clock p. m.

The motion was lost.

On motion of Senator Raley, senate concurrent resolution No. 17 was indefinitely postponed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 113.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 61.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 13.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Maxwell moved that the rules be suspended and that house bill No. 45 be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

• Nays—None.

Absent—Senators Beckley, Denny, and McGinn—3.

So the rules were suspended and house bill No. 45 was read second time by title only.

House bill No. 45 was referred to the committee on medicine, pharmacy, and dentistry, with leave to report at any time.

House bill No. 117 coming on for second reading, Senator Alley moved that the rules be suspended and the bill be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Brownell, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Butler, and McGinn—3.

So the rules were suspended and house bill No. 117 was read second time by title only.

House bill No. 117 was referred to the committee on medicine, pharmacy, and dentistry, with leave to report at any time.

Senator Brownell was excused for the balance of this evening's session.

Senator Brownell moved that the rules be suspended and that house bill No. 19 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Brownell, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, Price, Raley, Steiwer, Vanderburg, Woodward, and Mr. President—20.

Nays—None.

Absent—Senators Bancroft, Beckley, Dawson, Johnson, Maxwell, McClung, McGinn, Patterson, Smith of Sherman, and Smith of Clatsop—10.

So the rules were suspended and house bill No. 19 was read second time by title only.

House bill No. 19 was ordered to third reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 8.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 10.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

Senator Price moved that the rules be suspended and that house bill No. 31 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Woodard, Vanderburg, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, McGinn, Patterson, and Smith of Sherman—6.

So the rules were suspended and house bill No. 31 was read second time by title only.

House bill No. 31 was ordered to third reading.

The president announced that he was about to sign house joint memorial No. 10, and soon thereafter declared that he had the same.

Senator Gesner moved that the rules be suspended and that house bill No. 119 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell,

Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Dawson, Denny, McGinn, and Patterson—6.

So the rules were suspended and house bill No. 119 was read second time by title only.

House bill No. 119 was referred to the committee on education, with leave to report at any time.

Senator Denny moved that the rules be suspended and that house bill No. 186 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Denny, Johnson, McAlister, McClung, McGinn, Raley, Smith of Clatsop, and Smith of Sherman—10.

So the rules were suspended and house bill No. 186 was read second time by title only.

House bill No. 186 was referred to the committee on medicine, pharmacy, and dentistry, with leave to report at any time.

Senator Price moved that the rules be suspended and that house bill No. 237 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Denny, McGinn, Patterson, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 237 was read second time by title only.

House bill No. 237 was referred to the committee on medicine, pharmacy, and dentistry, with leave to report at any time.

Senator Holt moved that the rules be suspended and that house bill No. 53 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell,

Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, McGinn, Patterson, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 53 was read second time by title only.

House bill No. 53 was referred to the committee on judiciary, with leave to report at any time.

Senator Holt moved that the rules be suspended and that house bill No. 173 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Brownell, McClung, McGinn, and Smith of Sherman—5.

So the rules were suspended and house bill No. 173 was read second time by title only.

House bill No. 173 was ordered to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 192, with the following amendment:

#### AMENDMENT.

Section 1. That section 125 of chapter X of an act entitled "An act to incorporate the city of Dallas, in the county of Polk and state of Oregon," be so amended as to read as follows: Sec. 125. The auditor is the judicial officer of the corporation, and shall hold a court therein at such place as the council shall provide, which shall be known as the auditor's court, and shall be elected and hold his office as in this act hereinbefore provided. In case of illness or temporary absence of the auditor, the mayor may designate a person, being an elector of said city of Dallas, who shall forthwith take the oath of office and perform the duties

of police judge during such temporary absence or inability of the auditor to act.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

On motion of Senator Butler, the senate concurred in house amendment to senate bill No. 192.

Senator McAlister moved that the rules be suspended and that house bill No. 25 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Denny, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Gesner, King, McGinn, Patterson, and Smith of Sherman—9.

So the rules were suspended and house bill No. 25 was read second time by title only.

House bill No. 25 was ordered to third reading.

Senator Alley moved that the rules be suspended and that house bill No. 206 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodward, and Mr. President—21.

Nays—None.

Absent—Senators Brownell, Calbreath, Carter, Denny, Johnson, Maxwell, McGinn, Raley, and Smith of Sherman—9.

So the rules were suspended and house bill No. 206 was read second time by title only.

House bill No. 206 was referred to the committee on judiciary, with leave to report at any time.

Unanimous consent being first obtained, Senator Alley introduced senate resolution No. 26.

#### SENATE RESOLUTION NO. 26.

*Resolved*, That the chief clerk, assistant clerk, enrolling clerk, and reading clerk be paid the same price as was paid at the last session of the legislature.

Senator Alley moved the adoption of the resolution.

The resolution was lost.

Senator Price moved that the rules be suspended and that house bill No. 132 be read second time by title only.

Pending the vote on this question, Senator Huston moved a call of the house.

The roll was called and the sergeant-at-arms directed to notify the absent members to come into the senate chamber.

On motion of Senator Cogswell, further proceedings under the call of the house was dispensed with.

The original question being before the senate, the roll was call and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—23.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Johnson, McGinn, Smith of Sherman, and Mr. President—7.

So the rules were suspended and house bill No. 132 was read second time by title only.

House bill No. 132 was ordered to third reading.

Senator Gesner moved that the rules be suspended and that house bill No. 244 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—23.

Nays—None.

Absent—Senators Beckley, Brownell, Johnson, McGinn, Patterson, Smith of Sherman, and Mr. President—7.

So the rules were suspended and house bill No. 244 was read second time by title only.

House bill No. 244 was ordered to third reading.

Senator Bancroft moved that the rules be suspended and that house bill No. 193 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—23.

Nays—None.



Absent—Senators Beckley, Brownell, Gowan, McGinn, Raley, Smith of Sherman, and Mr. President—7.

So the rules were suspended and house bill No. 193 was read second time by title only.

House bill No. 193 was ordered to third reading.

Senator Alley moved that the rules be suspended and that house bill No. 207 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Dawson, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—22.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Cogswell, Gesner, McGinn, Smith of Sherman, and Mr. President—8.

So the rules were suspended and house bill No. 207 was read second time by title only.

House bill No. 207 was ordered to third reading.

Senator Patterson moved that the rules be suspended and that house bill No. 309 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Woodard—24.

Nays—None.

Absent—Senators Beckley, Brownell, Gowan, McGinn, Smith of Sherman, and Mr. President—6.

So the rules were suspended and house bill No. 309 was read second time by title only.

House bill No. 309 was referred to the committee on education, with leave to report at any time.

Senator Patterson moved that the rules be suspended and that house bill No. 1 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Denny, McGinn, Patterson, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 1 was read second time by title only.

House bill No. 1 was referred to the committee on railroads, with leave to report at any time.

Senator Huston moved that the rules be suspended and that house bill No. 43 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President — 24.

Nays — None.

Absent — Senators Beckley, Brownell, Calbreath, McGinn, Raley, and Smith of Sherman — 6.

So the rules were suspended and house bill No. 43 was read second time by title only.

House bill No. 43 was referred to the committee on roads and highways, with leave to report at any time.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and dentistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to whom was referred house bill No. 186, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. F. CALBREATH,  
Chairman.

On motion of Senator Calbreath, house bill No. 186 was ordered to third reading.

Senator Calbreath, chairman of the committee on medicine, pharmacy, and denistry, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on medicine, pharmacy, and dentistry, to

whom was referred house bill No. 45, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. F. CALBREATH,  
Chairman.

On motion of Senator Calbreath, house bill No. 45 was ordered to third reading.

Senator Smith of Clatsop moved that the rules be suspended and that house bill No. 279 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Denny, Johnson, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 279 was read second time by title only.

House bill No. 279 was referred to the committee on agriculture, with leave to report at any time.

Senator Bancroft, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 228, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1895. }

*Mr. President:*

Your special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 228, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

In line one of section 4, after the word "salary," strike out all the words "which shall be fixed by the county court," and insert in lieu thereof the words "of two thousand four hundred dollars per annum."

AMENDMENT.

In section 10, line one, strike out the word "police" and insert in place thereof the word "municipal."

F. A. BANCROFT,  
Chairman.

On motion of Senator Bancroft, the amendments were adopted.  
On motion of Senator Bancroft, house bill No. 228 was ordered to third reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 14.

And the same is herewith returned to you for enrollment.-

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 169.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Alley moved that the rules be suspended and that house bill No. 155 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Butler, Denny, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 155 was read second time by title only.

House bill No. 155 was ordered to third reading.

Senator Patterson moved that the rules be suspended and that house bill No. 294 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Holt, McGinn, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 294 was read second time by title only.

House bill No. 294 was ordered to third reading.

Senator Dawson moved that the rules be suspended and that house bill No. 138 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 138 was read second time by title only.

House bill No. 138 was ordered to third reading.

Senator Price moved that the rules be suspended and that house bill No. 93 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 93 was read second time by title only.

House bill No. 93 was ordered to third reading.

Senator Gesner moved that the rules be suspended and that house bill No. 107 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, McGinn, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 107 was read second time by title only.

House bill No. 107 was ordered to third reading.

# MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 31.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Woodard moved that the rules be suspended and that house bill No. 165 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 165 was read second time by title only.

House bill No. 165 was ordered to third reading.

Senator Johnson moved that the rules be suspended and that house bill No. 159 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Mc-

Clung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Cogswell, Denny, McGinn, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 159 was read second time by title only.

House bill No. 159 was ordered to third reading.

Senator Butler moved that the rules be suspended and that house bill No. 23 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Denny, McGinn, Raley, Smith of Sherman, and Smith of Clatsop—9.

So the rules were suspended and house bill No. 23 was read second time by title only.

House bill No. 23 was referred to the committee on claims, with leave to report at any time.

Senator Price moved that the rules be suspended and that house bill No. 343 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Butler, Calbreath, Denny, McGinn, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 343 was read second time by title only.

House bill No. 343 was ordered to third reading.

Senator Maxwell moved that the rules be suspended and that house bill No. 380 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Cogswell, Denny, McGinn, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 380 was read second time by title only.

House bill No. 380 was referred to the committee on judiciary, with leave to report at any time.

Senator Dawson moved that the rules be suspended and that house bill No. 208 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, McGinn, Patterson, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 208 was read second time by title only.

House bill No. 208 was referred to the committee on assessment and taxation, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 197.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Alley moved that the rules be suspended and that house bill No. 248 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, McGinn, Patterson, Raley, and Smith of Sherman—9.



So the rules were suspended and house bill No. 248 was read second time by title only.

House bill No. 248 was ordered to third reading.

Senator Maxwell moved that the rules be suspended and that house bill No. 366 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, McGinn, Patterson, Raley, and Smith of Sherman—9.

So the rules were suspended and house bill No. 366 was read second time by title only.

House bill No. 366 was ordered to third reading.

Senator King moved that the rules be suspended and that House bill No. 17 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 17 was read second time by title only.

House bill No. 17 was ordered to third reading.

Senator Holt moved that the rules be suspended and that house bill No. 48 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, McGinn, Raley, Smith of Sherman, and Woodard—9.

So the rules were suspended and house bill No. 48 was read second time by title only.

House bill No. 48 was referred to the committee on education, with leave to report at any time.

Senator Cogswell moved that the rules be suspended and that house bill No. 185 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, Hobson, McGinn, Patterson, Raley, and Smith of Sherman—10.

So the rules were suspended and house bill No. 185 was read second time by title only.

House bill No. 185 was referred to the committee on assessment and taxation, with leave to report at any time.

Senator Holt moved that the rules be suspended and that house bill No. 114 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, Hobson, McGinn, Patterson, Raley, and Smith of Sherman—10.

So the rules were suspended and house bill No. 114 was read second time by title only.

House bill No. 114 was ordered to third reading.

Senator Holt moved that the rules be suspended and that house bill No. 375 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Denny, Gowan, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Gesner, Hobson, Maxwell, McGinn, Raley, and Smith of Sherman—10.

So the rules were suspended and house bill No. 375 was read second time by title only.

House bill No. 375 was ordered to third reading.

Senator Alley moved that the rules be suspended and that house bill No. 260 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Denny, Hobson, McGinn, Raley, Smith of Sherman, and Smith of Clatsop—10.

So the rules were suspended and house bill No. 260 was read second time by title only.

House bill No. 260 was referred to a special committee, consisting of the senators from Multnomah county, with leave to report at any time.

Senator Johnson moved that the rules be suspended and that house bill No. 280 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Gesner, Gowan, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Denny, Hobson, McGinn, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 280 was read second time by title only.

House bill No. 280 was referred to the committee on roads and highways, with leave to report at any time.

Senator McClung moved that the rules be suspended and that house bill No. 295 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Gowan, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 295 was read second time by title only.

House bill No. 295 was referred to the committee on judiciary, with leave to report at any time.

Senator Holt moved that the rules be suspended and that house bill No. 140 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Hobson, Maxwell, McGinn, Raley, and Smith of Sherman—9.

So the rules were suspended and house bill No. 140 was read second time by title only.

House bill No. 140 was ordered to third reading.

Senator Patterson introduced senate resolution No. 27.

#### SENATE RESOLUTION NO. 27.

In view of the fact that the committees on engrossed bills and public buildings have each employed an additional clerk, and that their services were very much needed; be it

*Resolved*, That these committees be allowed this additional clerical aid.

On motion of Senator Patterson, the resolution was adopted.

Senator Johnson moved that the rules be suspended and that house bill No. 87 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, McGinn, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 87 was read second time by title only.

House bill No. 87 was referred to the committee on judiciary, with leave to report at any time.

Senator Denny moved that the rules be suspended and that house bill No. 251 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Cogswell, Dawson,

Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, McGinn, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 251 was read second time by title only.

House bill No. 251 was referred to the committee on education, with leave to report at any time.

Senator Bancroft moved that the rules be suspended and that house bill No. 327 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Cogswell, McGinn, Raley, and Smith of Sherman—7.

So the rules were suspended and house bill No. 327 was read second time by title only.

House bill No. 327 was ordered to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 201.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bills Nos. 8, 61, 13, 113, 2, 74, 28, 112, and 24, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Denny, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 325, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred house bill No. 325, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, house bill No. 325 was ordered to third reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 86, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

On page 1, line three of the engrossed bill, strike out the figures "73 (72)."

AMENDMENT.

Strike out all of page 2 of the engrossed bill, and all of page 3 down to and including the words "intelligibly distinguished."

## AMENDMENT.

Strike out all of section 4 on page 4 of the engrossed bill.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, the amendments were adopted. Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 206, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, house bill No. 206 was ordered to third reading.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February —, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 71, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

On motion of Senator Denny, house bill No. 71 was ordered to third reading.

Senator Calbreath moved that the rules be suspended and that house bill No. 361 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Brownell, Dawson, McGinn, Patterson, and Smith of Sherman—6.

So the rules were suspended and house bill No. 361 was read second time by title only.

House bill No. 361 was ordered to third reading.

Senator Johnson moved that the rules be suspended and that house bill No. 13 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Brownell, Dawson, McGinn, Smith of Sherman, Smith of Clatsop, and Steiwer—6.

So the rules were suspended and house bill No. 13 was read second time by title only.

House bill No. 13 was referred to the committee on assessment and taxation, with leave to report at any time.

Senator Maxwell moved that when the senate adjourns, it adjourns to 7:30 o'clock this evening.

The motion prevailed.

Senator Cogswell moved that the rules be suspended and that house bill No. 55 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Brownell, Dawson, Denny, King, McGinn, Raley, Smith of Sherman, Steiwer, and Vanderburg—9.

So the rules were suspended and house bill No. 55 was read second time by title only.

House bill No. 55 was referred to the committee on assessment and taxation, with leave to report at any time.

Senator Price moved that the rules be suspended, and that house bill No. 89 be read second time by title only.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Dawson, Denny, Gesner, King, McGinn, Raley, Smith of Sherman, and Steiwer—10.

So the rules were suspended and house bill No. 89 was read second time by title only.

House bill No. 89 was ordered to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 154.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Maxwell moved that the rules be suspended and that house bill No. 94 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Butler, Dawson, Denny, Gesner, King, McGinn, and Smith of Sherman—9.

So the rules were suspended and house bill No. 94 was read second time by title only.

House bill No. 94 was ordered to third reading.

On motion of Senator Patterson, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

The senate was called to order at 7:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senators Beckley, Carter, Denny, and McGinn.

Senator Hobson, chairman of the committee on claims, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on claims, to whom was referred house bill No. 23, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

W. H. HOBSON,  
Chairman.

On motion of Senator Hobson, house bill No. 23 was ordered to third reading.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 119, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate without recommendation.

J. H. McCLUNG,  
Chairman.

On motion of Senator McClung, house bill No. 119 was ordered to third reading.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 154, 169, 31, 192, 14, 23, 197, and 201, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Maxwell moved that the rules be suspended and that house bill No. 14 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Beckley, Brownell, Butler, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Calbreath, Carter, Denny, Holt, Johnson, McGinn, Smith of Sherman, and Vanderburg—8.

So the rules were suspended and house bill No. 14 was read second time by title only.

On motion of Senator Maxwell, house bill No. 14 was ordered to third reading.

Senator Maxwell moved that the rules be suspended, and that house bill No. 263 be read second time title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, Maxwell, McGinn, Patterson, Smith of Sherman, and Vanderburg—9.

So the rules were suspended and house bill No. 263 was read second time by title only.

On motion of Senator Maxwell, house bill No. 263 was ordered to third reading.

Senator Brownell moved that the rules be suspended and that house bill No. 302 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, McGinn, Patterson, Smith of Sherman, and Vanderburg—8.

So the rules were suspended and house bill No. 302 was read second time by title only.

On motion of Senator Brownell, house bill No. 302 was referred to the committee on judiciary, with leave to report at any time.

Senator McClung moved that the rules be suspended, and that house bill No. 383 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, and Patterson—5.

So the rules were suspended and house bill No. 383 was read second time by title only.

On motion of Senator Bancroft, house bill No. 388 was referred to a special committee, consisting of the senators from Multnomah county, with leave to report at any time.

Senator Hobson moved that the rules be suspended and that house bill No. 146 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, Patterson, Price, and Smith of Sherman—7.

So the rules were suspended and house bill No. 146 was read second time by title only.

On motion of Senator Hobson, house bill No. 146 was ordered to third reading.

Senator Dawson moved that the rules be suspended and that house bill No. 222 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, Patterson, and Smith of Sherman—6.

So the rules were suspended and house bill No. 222 was read second time by title only.

On motion of Senator Dawson, house bill No. 222 was ordered to third reading.

Senator Calbreath moved that the rules be suspended and that house bill No. 205 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Bancroft, Beckley, Brownell, Butler, Carter, Denny, McGinn, Patterson, and Smith of Sherman—9.

So the rules were suspended and house bill No. 205 was read second time by title only.

On motion of Senator Calbreath, house bill No. 205 was referred to the committee on judiciary, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES. }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 8, 2, 74, 28, 112, 13, 61, 24, and 113.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

Senator Cogswell moved that the rules be suspended and that house bill No. 229 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Butler, Carter, Denny, McGinn, Patterson, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 229 was read second time by title only.

On motion of Senator Bancroft, house bill No. 229 was referred to a special committee, consisting of the senators from Multnomah county, with leave to report at any time.

The president announced that he was about to sign senate bills Nos. 8, 2, 74, 28, 112, 13, 61, 24, and 113, and soon thereafter declared that he had signed the same.

Senator Bancroft moved that the rules be suspended and that house bill No. 26 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Butler, Carter, Dawson, Denny, King, McGinn, Patterson, and Raley—9.

So the rules were suspended and house bill No. 26 was read second time by title only.

On motion of Senator Bancroft, house bill No. 26 was ordered to third reading.

Senator Brownell moved that the rules be suspended and that house bill No. 40 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Johnson, McGinn, Patterson, and Smith of Sherman—8.

So the rules were suspended and house bill No. 40 was read second time by title only.

On motion of Senator Brownell, house bill No. 40 was ordered to third reading.

Senator McClung moved that the rules be suspended and that house bill No. 374 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, McGinn, Patterson, and Smith of Sherman—7.

So the rules were suspended and house bill No. 374 was read second time by title only.

On motion of Senator McClung, house bill No. 374 was ordered to third reading.

Senator Johnson moved that the rules be suspended and that house bill No. 111 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, McGinn, Patterson, and Smith of Sherman—7.

So the rules were suspended and house bill No. 111 was read second time by title only.

On motion of Senator Johnson, house bill No. 111 was ordered to third reading.

Senator McClung moved that the rules be suspended and that house bill No. 373 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Carter, Cogswell, Denny, McGinn, and Patterson—6.

So the rules were suspended and house bill No. 373 was read second time by title only.

On motion of Senator McClung, house bill No. 373 was ordered to third reading.

Senator McClung moved that the rules be suspended and that house bill No. 92 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Dawson, Denny, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 92 was read second time by title only.

On motion of Senator McClung, house bill No. 92 was ordered to third reading.

Senator Holt moved that the rules be suspended and that house bill No. 224 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—25.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, and Patterson—5.

So the rules were suspended and house bill No. 224 was read second time by title only.

On motion of Senator Holt, house bill No. 224 was ordered to third reading.

Senator Alley moved that the rules be suspended and that house bill No. 151 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Cogswell, Dawson, Denny, McGinn, Patterson, and Raley—9.

So the rules were suspended and house bill No. 151 was read second time by title only.



On motion of Senator Alley, house bill No. 151 was ordered to third reading.

Senator Johnson moved that the rules be suspended and that house bill No. 304 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, King, Maxwell, McGinn, and Patterson—8.

So the rules were suspended and house bill No. 304 was read second time by title only.

Senator Bancroft moved that house bill No. 304 be referred to the committee on railroads.

Senators Johnson and Huston demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Calbreath, Gesner, Gowan, McAlister, Price, Raley, Woodard, and Mr. President—9.

Nays—Senators Alley, Butler, Cogswell, Hobson, Holt, Huston, Johnson, McClung, Smith of Sherman, Smith of Clatsop, Steiwer, and Vanderburg—12.

Absent—Senators Beckley, Brownell, Carter, Dawson, Denny, King, Maxwell, McGinn, and Patterson—9.

So the senate refused to refer.

House bill No. 304 was ordered to third reading.

Senator McClung moved that the rules be suspended and that house bill No. 314 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, King, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 314 was read second time by title only.

On motion of Senator McClung, house bill No. 314 was ordered to third reading.

Senator Butler moved that the rules be suspended and that house bill No. 125 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Gesner, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Calbreath, Carter, Cogswell, Dawson, Denny, King, McGinn, and Patterson—9.

So the rules were suspended and house bill No. 125 was read second time by title only.

On motion of Senator Butler, house bill No. 125 was ordered to third reading.

On motion of Senator Maxwell, senate bill No. 40, heretofore transmitted to the house, was recalled.

Senator McClung moved that the rules be suspended and that house bill No. 331 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Dawson, Denny, Johnson, McGinn, Patterson, and Smith of Clatsop—10.

So the rules were suspended and house bill No. 331 was read second time by title only.

House bill No. 331 was referred to the committee on judiciary, with leave to report at any time.

Senator McClung moved that the rules be suspended and that house bill No. 363 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Calbreath, Carter, Dawson, Denny, Johnson, McGinn, and Patterson—8.

So the rules were suspended and house bill No. 363 was read second time by title only.

House bill No. 363 was ordered to third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 33, providing for a joint convention of the two houses to elect certain officers, to meet Saturday evening, February 23, 1895, at 7:30 o'clock.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
 Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 33.

*Resolved by the House, the Senate concurring,* That on Saturday, February 23, 1895, at the hour of 7:30 o'clock p. m., the two houses meet in joint convention for the purpose of electing three railway commissioners, one state librarian, one fish and game protector, one food and dairy commissioner, three pilot commissioners, and one boatman at Astoria.

On motion of Senator Raley, the senate concurred in the adoption of house concurrent resolution No. 33.

Senator McClung moved that the rules be suspended and that house bill No. 291 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Brownell, Calbreath, Carter, Dawson, Denny, McGinn, Patterson, and Smith of Sherman—9.

So the rules were suspended and house bill No. 291 was read second time by title only.

On motion of Senator McClung, house bill No. 291 was ordered to third reading.

Senator Huston moved that the rules be suspended and that house bill No. 62 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlis-

ter, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Gesner, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 62 was read second time by title only.

On motion of Senator Huston, house bill No. 62 was ordered to third reading.

Senator Price moved that the rules be suspended and that house bill No. 338 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, McGinn, Patterson, and Raley—7.

So the rules were suspended and house bill No. 338 was read second time by title only.

On motion of Senator Price, house bill No. 338 was ordered to third reading.

Senator Calbreath moved that the rules be suspended and that house bill No. 306 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Bancroft, Beckley, Carter, Dawson, Denny, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 306 was read second time by title only.

On motion of Senator Calbreath, house bill No. 306 was ordered to third reading.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill

No. 380, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

S. B. HUSTON,  
C. A. COGSWELL,  
A. W. GOWAN,  
Committee.

House bill No. 380 was ordered to third reading.

Senator Hobson moved that the rules be suspended and that house bill No. 342 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, McGinn, Patterson, and Raley—7.

So the rules were suspended and house bill No. 342 was read second time by title only.

Senator Cogswell amended house bill No. 342 as follows, to wit;

#### AMENDMENT.

Amend lines twenty-six, twenty-seven, and twenty-eight, page 1 of engrossed bill, so that it will read as follows: "In Josephine county on the third Monday in April and the fourth Monday in September."

#### AMENDMENT.

. Amend lines one, two, and three, page 2 of engrossed bill, so that it will read as follows: "In Jackson county on the first Monday in April, and the second Monday in September, and the second Monday in December."

On motion of Senator Cogswell, the amendments were adopted.

On motion of Senator Cogswell, house bill No. 342 was ordered to third reading.

Senator Hobson moved that the rules be suspended and that house bill No. 160 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell,

McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, McGinn, Patterson, and Raley—7.

So the rules were suspended and house bill No. 160 was read second time by title only.

On motion of Senator Hobson, house bill No. 160 was ordered to third reading.

Senator Gesner moved that the rules be suspended and that house bill No. 157 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Johnson, McGinn, Patterson, Price, and Raley—9.

So the rules were suspended and house bill No. 157 was read second time by title only.

On motion of Senator Gesner, house bill No. 157 was ordered to third reading.

Senator Calbreath moved that the rules be suspended and that house bill No. 344 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Cogswell, Denny, McGinn, Patterson, and Raley—8.

So the rules were suspended and house bill No. 344 was read second time by title only.

On motion of Senator Calbreath, house bill No. 344 was ordered to third reading.

Senator Dawson moved that the rules be suspended and that House bill No. 257 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith

of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, Patterson, and Raley—6.

So the rules were suspended and house bill No. 257 was read second time by title only.

On motion of Senator Dawson, house bill No. 257 was ordered to third reading.

Senator Maxwell moved that the rules be suspended and that house bill No. 362 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Carter, Denny, McGinn, Patterson, and Raley—6.

So the rules were suspended and house bill No. 362 was read second time by title only.

On motion of Senator Maxwell, house bill No. 362 was ordered to third reading.

Senator Hobson moved that the rules be suspended and that house bill No. 384 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, Maxwell, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 384 was read second time by title only.

On motion of Senator Hobson, house bill No. 384 was referred to a special committee, consisting of the senators from Multnomah county.

Senator Dawson moved that the rules be suspended and that house bill No. 298 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, John-



son, King, McAlister, McClung, Price, Raley, Smith of Sherman, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Denny, Maxwell, McGinn, Patterson, and Smith of Clatsop—6.

So the rules were suspended and house bill No. 298 was read second time by title only.

On motion of Senator Dawson, house bill No. 298 was ordered to third reading.

Senator Johnson moved that the rules be suspended and that house bill No. 352 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, McAlister, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 352 was read second time by title only.

On motion of Senator Bancroft, house bill No. 352 was ordered to third reading.

Senator Alley moved that the rules be suspended and that house bill No. 303 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Johnson, McGinn, and Patterson—6.

So the rules were suspended and house bill No. 303 was read second time by title only.

On motion of Senator Alley, house bill No. 303 was ordered to third reading.

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred sen-



ate bills Nos. 33 and 166, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Maxwell moved that the rules be suspended and that house bill No. 330 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, Johnson, McGinn, Patterson, and Smith of Sherman—8.

So the rules were suspended and house bill No. 330 was read second time by title only.

House bill No. 330 was referred to the committee on judiciary, with leave to report at any time.

House bill No. 243 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Smith of Clatsop, Steiwer, Vandenburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Holt, McGinn, Patterson, Raley, and Smith of Sherman—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Johnson introduced senate resolution No. 28.

#### SENATE RESOLUTION NO. 28.

*Be it resolved by the Senate,* That for the purpose of expediting the disposal of the most important house bills now on third reading in this body, the reading clerk is hereby directed to call the names of the members of the senate in alphabetical order in order to allow each member of the house to have one such house bill disposed of when the name is so called.

Senator Johnson moved the adoption of the resolution.

Senators Johnson and King demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Butler, Dawson, Hobson, Huston, Johnson, King, McAlister, McClung, Price, Smith of Sherman, Smith of Clatsop, and Vanderburg—13.

Nays—Senators Bancroft, Brownell, Calbreath, Cogswell, Gesner, Gowan, Maxwell, Raley, Steiwer, Woodard, and Mr. President—11.

Absent—Senators Beckley, Carter, Denny, Holt, McGinn, and Patterson—6.

So the resolution was adopted.

Senator Alley called up house bill No. 375.

Senator Alley moved that the rules be suspended and house bill No. 375 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Gesner, McGinn, and Patterson—7.

So the rules were suspended and house bill No. 375 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Denny, Gesner, Hobson, Holt, and Patterson—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Cogswell moved that the rules be suspended and that house bill No. 321 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Huston, Johnson, King, Maxwell, Mc-

Alistar, McClung, McGinn, Price, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—22.

Nays—Senators Holt, Raley, and Vanderburg—3.

Absent—Senators Beckley, Carter, Denny, Gesner, and Patterson—5.

So the rules were suspended and house bill No. 321 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Dawson, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Woodard, and Mr. President—20.

Nays—Senators Holt, Huston, King, and McAlister—4.

Absent—Senators Beckley, Carter, Denny, Gesner, Patterson, and Vanderburg—6.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Alley moved that the rules be suspended and that house bill No. 258 be read second time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Beckley, Brownell, Carter, Dawson, Denny, McGinn, Raley, and Smith of Sherman—8.

So the rules were suspended and house bill No. 258 was read second time by title only.

On motion of Senator Alley, senate bill No. 258 was ordered to third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 23.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Woodard, chairman of the committee on assessment and taxation, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1895. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred duplicate house bill No. 13, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do not pass.

C. H. WOODARD,  
Chairman.

On motion of Senator Dawson, house bill No. 13 was ordered to third reading.

Senator Bancroft called up house bill No. 13.

Pending the third reading of house bill No. 13, Senator Alley moved that the senate do now adjourn.

Senators King and Huston demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Cogswell, Hobson, McGinn, Raley, Steiwer, and Mr. President—8.

Nays—Senators Butler, Calbreath, Gowan, Holt, Huston, Johnson, King, McAlister, Price, Smith of Clatsop, Smith of Sherman, and Woodard—12.

Absent—Senators Beckley, Brownell, Carter, Dawson, Denny, Gesner, Maxwell, McClung, Patterson, and Vanderburg—10.

So the senate refused to adjourn.

The third reading of house bill No. 13 was commenced.

Pending the reading of house bill No. 13, Senator Alley moved that the senate do now adjourn.

Senators Alley and Dawson demanded the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Dawson, Gesner, McGinn, Raley, Steiwer, Woodard, and Mr. President—10.

Nays—Senators Butler, Calbreath, Gowan, Holt, Huston, Johnson, King, McAlister, Price, Smith of Clatsop, and Smith of Sherman—11.

Absent—Senators Beckley, Carter, Cogswell, Denny, Hobson, Maxwell, McClung, Patterson, and Vanderburg—9.

So the senate refused to adjourn.

Senator Smith of Clatsop moved to indefinitely postpone senate bill No. 13.

Senator Bancroft moved a call of the senate.

The roll was called and all the members were present, except Senators Beckley, Carter, Denny, Huston, McGinn, Patterson, and Raley.

The sergeant-at-arms was directed to request the absent senators to come into the senate chamber.

On motion of Senator Calbreath, further proceedings under the call of the senate was dispensed with.

On the question to indefinitely postpone house bill No. 13, Senators King and Huston demanded the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Dawson, Gesner, McGinn, Raley, Steiwer, Woodard, and Mr. President—10.

Nays—Senators Butler, Calbreath, Gowan, Holt, Huston, Johnson, King, McAlister, Price, Smith of Sherman, and Smith of Clatsop—11.

Absent—Senators Beckley, Carter, Cogswell, Denny, Hobson, Maxwell, McClung, Patterson, and Vanderburg—9.

So the senate refused to indefinitely postpone.

The reading of House bill No. 13 was resumed.

Pending the reading of house bill No. 13, Senator Bancroft moved that the senate do now adjourn.

Senators Bancroft and Alley demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Butler, Hobson, Holt, Huston, Johnson, King, Raley, Smith of Clatsop, and Woodard—9.

Nays—Senators Alley, Bancroft, Brownell, Calbreath, Cogswell, Dawson, Gesner, Gowan, McAlister, McClung, Price, Smith of Sherman, Steiwer, Vanderburg, and Mr. President—15.

Absent—Senators Beckley, Carter, Denny, Maxwell, McGinn, and Patterson—6.

The motion was lost.

The reading of house bill No. 13 was resumed.

Pending the reading of house bill No. 13, on motion of Senator Raley, the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

SATURDAY, FEBRUARY 23, 1895.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

The senate was called to order at 10 o'clock a. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senators Beckley, Denny, Gesner, and McClung.

The morning session of the senate was opened with prayer by Rev. W. C. Kantner.

Senator Price was excused from attendance on the morning session.

On motion of Senator Cogswell, the reading of the journal of the proceedings of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 226.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

By unanimous consent, Senator McGinn introduced senate resolution No. 29.

SENATE RESOLUTION NO. 29.

*Resolved,* That whereas the committee clerks employed on the enrolling, engrossing, and military affairs committees have had to work early and late into the night by reason of their number being materially reduced from last session, therefore that all, except the chief clerks, whose compensation is fixed at five dollars per diem, receive four dollars per diem for their work during this session.

Senator McGinn moved the adoption of the resolution.

The motion was lost.

Senator Maxwell, chairman of the special committee appointed

under senate concurrent resolution No. 11, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

Your committee appointed under senate concurrent resolution No. 11, to meet a like committee of the state of Washington to look after the fishing industries, report that by appointment with a special committee appointed by the assembly of Washington, your committee proceeded to Tacoma, February 2d, and there met the Washington committee. Senator Maxwell was elected chairman of the joint committee of the two states. Many persons interested in the various branches of the fishing industry were present and addressed the committee upon the subject. From lack of time, formal deliberations were not completed at Tacoma, and the committee adjourned to meet at Portland at a later date. On February 16th your committee again met the Washington committee at Portland. After much deliberation it was unanimously agreed to recommend to the respective assemblies the following:

That the spring close season shall begin at 12 o'clock m. on March 1st, and extend to 12 o'clock noon on April 20th; that the fall close season shall begin at 12 o'clock m. on August 1st, and extend to 12 o'clock m. October 1st; that Sunday closing be abolished; that the license fee upon gill nets be placed at two dollars and fifty cents; upon set nets, one dollar; upon fish wheels, twenty dollars; upon traps, seines, pound nets, and other fixed gear, ten dollars; that canneries packing over thirty thousand cases annually shall pay a license fee of two hundred dollars; canneries packing from fifteen thousand to thirty thousand cases annually shall pay a license fee of one hundred and fifty dollars; canneries packing less than fifteen thousand cases shall pay a license fee of one hundred dollars; new canneries shall pay for the first year one hundred and fifty dollars; wholesale shippers of fresh fish, shipping annually over one hundred tons, shall pay a license fee of one hundred dollars; those shipping from fifty to one hundred tons annually shall pay a license fee of fifty dollars; those shipping from ten to fifty tons annually shall pay a license fee of ten dollars; new shippers to pay for the first year, ten dollars. The following resolution was carried, Senator Vanderburg and Representative Lester dissenting:—

Whereas a bill has been introduced in the Oregon legislature



advocating the abolition of fish traps and wheels in the Columbia river in two years; be it

*Resolved by this Joint Committee*, That we are opposed to this measure, and will recommend to our respective legislatures that such a law be not adopted.

A resolution tendering the thanks of both states to fish commissioners H. D. McGuire of Oregon, and James Crawford of Washington, for the efficient manner in which they have performed the duties of their office.

Your committee were unanimous in recommending the above measures, except the resolution relative to the abolition of fish traps and wheels, and mutually pledge themselves to support the measures agreed upon in the assemblies of their respective states.

J. W. MAXWELL,  
Chairman.

On motion of Senator Maxwell, the report was adopted and the same ordered spread upon the journal.

Senator Raley moved that the vote by which senate resolution No. 28 passed be reconsidered.

Senators King and Smith of Clatsop demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Calbreath, Carter, Cogswell, Denny, Gesner, Gowan, Johnson, Maxwell, McClung, McGinn, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—17.

Nays—Senators Butler, Hobson, Holt, Huston, King, McAlister, Smith of Clatsop, and Vanderburg—8.

Absent—Senators Alley, Beckley, Dawson, Patterson, and Price—5.

So the vote by which senate resolution No. 28 was adopted was reconsidered.

Senator Cogswell moved that senate resolution No. 28 be laid on the table.

Senators King and Vanderburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Brownell, Calbreath, Cogswell, Dawson, Gesner, McClung, McGinn, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—13.

Nays—Senators Alley, Butler, Carter, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, Smith of Clatsop, and Vanderburg—14.

Absent—Senators Beckley, Patterson, and Price—3.



So the senate refused to lay the resolution on the table.

Senator Cogswell moved that senate resolution No. 28 be adopted.

Senators King and Vanderburg demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Butler, Carter, Denny, Gowan, Holt, Huston, Johnson, King, McAlister, Smith of Clatsop, and Vanderburg—12.

Nays—Senators Bancroft, Brownell, Calbreath, Cogswell, Gesner, Maxwell, McClung, Raley, Smith of Sherman, Steiwer, Woodard, and Mr. President—12.

Absent—Senators Beckley, Dawson, Hobson, McGinn, Patterson, and Price—6.

So the senate refused to adopt.

House bill No. 14 coming on for third reading, Senator Cogswell moved that the counties of Crook, Klamath, and Lake be exempt from the operation of the bill.

The motion was ruled out of order.

House bill No. 14 was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Brownell, Butler, Calbreath, Carter, Gowan, Hobson, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—Senators Bancroft, Cogswell, Denny, Gesner, King, Patterson, and Smith of Sherman—7.

Absent—Senators Beckley, Dawson, and Price—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 283.

And the same is herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 226, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Bancroft, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 383, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred house bill No. 383, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out lines thirty-two and thirty-three, page 1 of engrossed bill, and insert in lieu thereof the following: "to the extent of three million two hundred thousand dollars, and out of any surplus shall reimburse the city of Portland to the extent of fifteen thousand dollars to meet the interest on two hundred and fifty thousand dollars of the bonds known."

F. A. BANCROFT,  
Chairman.

On motion of Senator Bancroft, the amendment was adopted.

On motion of Senator Bancroft, house bill No. 383 was ordered to third reading.

Senator Bancroft, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 384, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred house bill No. 384, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

F. A. BANCROFT,  
Chairman.

On motion of Senator Calbreath, house bill No. 384 was ordered to third reading.

The president announced that he was about to sign house bill No. 283 and soon thereafter declared that he had signed the same.

Senator Woodard introduced senate resolution No. 30.

## SENATE RESOLUTION NO. 30.

*Resolved*, That in order to expedite business, all debate on third reading of house bills be limited to one minute, and that no senator be allowed to speak more than once upon any bill, except by consent of the senate; *provided*, that the senator having charge of a bill may be allowed three minutes.

On motion of Senator Woodard, the resolution was adopted.

The majority of the committee appointed under senate resolution No. 10, to whom was referred that part of Governor Lord's message referring to the purchase of the foundry at the state penitentiary, submitted the following report:—

## MAJORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1895. }

*Mr. President:*

We, your committee appointed under senate resolution No. 10, to consider and report upon the following extracts from Governor Lord's comprehensive and able message, "It is never wise for a state to buy an enterprise which prudent men are anxious to get rid of. There is an impression among some of our people that the purchase of the foundry plant and its operation with convict labor has not been productive of profit or advantage to the state. The idea briefly is that 'an elephant' was unloaded upon the

state. I trust there is no foundation for such impression, but that facts will disclose that the foundry has been successfully and profitably operated, furnishing regular employment for the convicts, and making the penitentiary in a great measure a self-sustaining institution. It is your duty to ascertain what is the true state of the case; \* \* \*"—beg leave to report that we have visited the foundry at the penitentiary and have thoroughly inspected the plant purchased by the state from the Northwestern Foundry Company, the books and accounts of the superintendent, Mr. R. B. Fleming, and the merchandise, supplies, and manufactured goods on hand. The buildings, machinery, and tools appear to be in good condition, and give evidence that much care has been taken by the superintendent and his assistants in their use and maintenance. The books were well kept and every facility was given us for their examination; but we find that the manner of ascertaining the results of the last twenty months' operations was rather peculiar, and we have not been able to arrive at the same conclusions.

Exhibit "B" shows a large "profit on the sales and on the market value of manufactured goods on hand," and it appears to us that to inventory goods still on hand, and before a market had been found for them, at prices they were expected to bring when sold, was certainly a new departure from the usual course adopted by manufacturers, merchants, and business men generally. Goods, or products of a factory, still in stock are always put down in an inventory at what they actually cost to purchase or produce, and not at what they are expected under the uncertain and unknown conditions of a future market to be sold for. If the estimated profits on the goods, not yet disposed of, are deducted, the gross profits stated in the report of the superintendent will be materially reduced.

The foundry plant was purchased by the state from the Northwestern Foundry Company on the first day of May, 1893, and has, therefore, been in use, under its present management, up to the thirty-first of December last, for twenty months, and has, certainly, in consequence of such use, greatly depreciated in value. Every manufacturer writes off, at the end of each year, when he takes an inventory of his effects, a certain percentage, generally ten per cent., on account of wear and tear, from the cost of his machinery, tools, and fixtures. This was not done by the superintendent, but he informs us that, in his opinion, sufficient new patterns have been added and the machines improved and repaired to such an extent as to make the plant practically worth as much now as it was at the time it was purchased by the state. The books do not show such additions or betterments, for the reason,

as Superintendent Fleming states, that nearly all the labor connected therewith was performed by convicts.

We think that it would also be proper, in order to ascertain whether the investment by the state of sixty-five thousand dollars for purposes of this foundry was a profitable one, to calculate a reasonable interest on the amount so employed. No interest account has been kept and no mention was made in the superintendent's report regarding such charges.

After careful investigation and due consideration, we have come to the conclusion that the purchase of the plant by the state, as provided for in section 20 of the act approved February 18, 1893, was not a judicious one, and that, though had the times been more prosperous and had it been possible to work the plant to its utmost capacity and find a ready market for all its products, different results might probably have been produced, the enterprise could under no circumstances have been made, nor can the same be made in the future, successful and profitable. The only benefit that the state seems to have received from this large investment is that partial employment has been found for a limited number of the convicts, about one hundred and fifty, for three days a week.

O. N. DENNY,  
W. W. STEIWER,  
Committee.

Senator Cogswell, a member of the committee appointed under senate resolution No. 10, submitted the following minority report:—

#### MINORITY REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1895. }

*Mr. President:*

The undersigned, a member of your special committee appointed under senate resolution No. 10, to consider and report upon the following extracts from the message of Governor Lord, "It is never wise for a state to buy an enterprise which prudent men are anxious to get rid of. There is an impression among some of our people that the purchase of the foundry plant and its operation with convict labor has not been productive of profit or advantage to the state. The idea is that 'an elephant' was unloaded upon the state. I trust there is no foundation for such impression, but that facts will disclose that the foundry has been successfully and profitably operated, furnishing regular employment for convicts, and making the penitentiary in a great

measure a self-sustaining institution. It is your duty to ascertain what is the true state of the case; \* \* \*—beg leave to submit the following report:

The foundry at the penitentiary has been in operation during the past twenty months with satisfactory results, and after a careful examination of the plant, stock, books, and the methods employed by Superintendent R. B. Fleming, who has been acting under the supervision of the governor, secretary of state, and state treasurer as a board of managers, find that the institution has been well managed; and while it has not been made as profitable as when operated under the contract system on account of the general business depression, it has given employment to a large number of the convicts, and thus served the principal purpose for which it is maintained by the state. The plant is in excellent condition, and is worth more than when the state purchased it, as there has been added thereto over seven thousand dollars in new patterns, machinery, and improvements. These additions and improvements are considered as more than offsetting any depreciation on account of wear during the twenty months of operation.

After a careful examination of the report of the board of managers in connection with an investigation of the foundry plant, books, etc., I find that said report is correct, with the exception of the method used in computing the "value of manufactured goods on hand" in exhibit B, as the inventory of manufactured goods on hand should be at the actual cost and not the computed selling value.

The stock on hand at actual cost shows as follows: Stoves and ranges, four hundred and forty-four thousand one hundred and sixty-eight pounds, at three cents, thirteen thousand three hundred and twenty-five dollars and four cents; sets of stove castings, thirteen thousand nine hundred and eighty-eight pounds, at three cents, four hundred and nineteen dollars and sixty-four cents; hollowware, twenty-six thousand one hundred and sixty-eight pounds, at three cents, seven hundred and eighty-five dollars and four cents; miscellaneous castings, one hundred and eighty-two thousand three hundred and six pounds, at three cents, five thousand four hundred and sixty-nine dollars and eighteen cents; miscellaneous supplies, three thousand one hundred and eighty-nine dollars and ninety-eight cents; pig iron, six hundred and nineteen dollars and fifty cents; fuel, coke, and wood, nine hundred and nine dollars and seven cents; cost of manufactured goods and stock on hand, twenty-four thousand seven hundred and seventeen dollars and forty-five cents. The total sales amount to forty-two thousand and six dollars and eighty-eight cents, making a total merchandise credit of sixty-

six thousand seven hundred and twenty-four dollars and thirty-three cents. The total cost of materials and supplies being thirty-nine thousand four hundred and six dollars and forty-one cents, leaves the gross profits at twenty-seven thousand three hundred and seventeen dollars and ninety-two cents, and deducting the amount expended for labor, salaries, etc., of fourteen thousand eight hundred and sixty dollars and sixty-one cents, gives net profits at cost of twelve thousand four hundred and fifty-seven dollars and thirty-one cents.

It is a well known fact that during the past two years but very few manufacturing enterprises have been conducted with much profit, while many have succumbed to the general depression. That the foundry has not only been self-supporting, but has a cash balance of four thousand eight hundred and eighty-eight dollars and fifteen cents, and outstanding accounts receivable of twelve thousand six hundred and four dollars and fifteen cents, speaks well for the management and shows it to be a profitable institution for the state. As to whether the state paid more for the plant than should have been paid, I am not sufficiently advised to give an opinion. If such was the case, the fault lies with the law which compelled the governor, secretary of state, and state treasurer to purchase this identical plant, and as they had no discretion in the matter, but were obliged to make the purchase whether it was offered for a reasonable price or not, the wonder is that the owners did not compel them to pay the entire sum of sixty-five thousand dollars, which was appropriated. The law directing this purchase will be found on page 22, section 20 of the laws of 1893.

C. A. COGSWELL.

On motion of Senator Cogswell, the reports, majority and minority, under senate concurrent resolution No. 10, were ordered spread upon the journal.

Senator Bancroft moved that the rules be suspended, and that house bill No. 122 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.



So the rules were suspended, and house bill No. 122 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 361 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 361 was read third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 45 be read third time now and placed on final passage.



On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 45 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 27 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, Vanderburg, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 27 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 342 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the rules were suspended and house bill No. 342 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 380 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 380 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 116 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 116 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 228 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Holt, and Smith of Sherman—3.

So the rules were suspended and house bill No. 228 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 348 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Holt, and Smith of Sherman—3.

So the rules were suspended and house bill No. 348 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 254 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 254 was read third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 92 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 92 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 317 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 317 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 325 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, McGinn, and Smith of Sherman—3.

So the rules were suspended and house bill No. 325 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 384 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Holt, and Smith of Sherman—3.

So the rules were suspended and house bill No. 384 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.



Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 229 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—27.

Nays—None.

Absent—Senators Beckley, Holt, and Smith of Sherman—3.

So the rules were suspended and house bill No. 229 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Bancroft moved that the rules be suspended and that house bill No. 383 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Butler, Carter, Cogswell, Denny, Gesner, Gowan, Hobson, Huston, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—22.

Nays—None.

Absent—Senators Alley, Beckley, Brownell, Calbreath, Dawson, Holt, Smith of Sherman, and Smith of Clatsop—8.

So the rules were suspended and house bill No. 383 was read third time and placed on final passage.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—24.

Nays—Senators Denny and Woodard—2.

Absent—Senators Beckley, Cogswell, McGinn, and Smith of Sherman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Patterson moved that the rules be suspended and that house bill No. 53 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gowan, Hobson, Johnson, Maxwell, McClung, McGinn, Patterson, Price, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—Senators Calbreath, Huston, and King—3.

Absent—Senators Beckley, Gesner, Holt, McAlister, Raley, and Smith of Sherman—6.

So the rules were suspended and house bill No. 53 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, and Mr. President—24.

Nays—Senators Denny and Woodard—2.

Absent—Senators Beckley, Cogswell, McGinn, and Smith of Sherman—4.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Price moved that the rules be suspended and that house bill No. 31 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Carter, Cogswell, Dawson,

Denny, Gowan, Hobson, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Beckley, Butler, Calbreath, Huston, Gesner, Holt, McAlister, Raley, and Smith of Sherman—9.

So the rules were suspended and house bill No. 31 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Bancroft, Cogswell, Denny, Gowan, King, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—14.

Nays—Senators Alley, Brownell, Butler, Calbreath, Gesner, Hobson, Huston, Johnson, Maxwell, and McClung—10.

Absent—Senators Beckley, Carter, Dawson, Holt, McAlister, and Smith of Sherman—6.

So the bill failed to pass.

Senator Alley, chairman of the special committee appointed under senate concurrent resolution No. 9, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee, appointed under senate concurrent resolution No. 9, to investigate the manner in which the state printing has been done during the past two years, beg leave to submit their report.

In pursuance of the above named concurrent resolution, the senate and house standing committees on printing took charge of all the printing done for the several departments and of all other printing required by law for which bills have been rendered to the secretary of state. A number of clerks were employed, and two experts, practical printers, were secured to have the technical features fully covered, examined, and measured.

The experts, under the direction of your committee, have covered the ground required by the concurrent resolution, and have carefully compared all the bills and measured and examined the work done in the past two years. We find that before any money is paid for public printing, the state expert, appointed by the governor, must measure the work and allow only the rates prescribed by law, and also certify to the amount of the work done

and the correctness of the measurements. This duty has been performed by Captain John O'Brien, a competent practical printer, and his work was done accurately and well.

The state is supplied with one of the best printing plants in the northwest, placed in the capitol building by ex-State Printer Baker, and any and all work has been performed with despatch and in the highest style of the printing art. Its location in the capitol building has aided greatly in expediting needed legislation and preventing delay that would be caused by an inadequate plant and distance from the legislature. As the state grows and business of the legislature increases, so does the volume of public printing, necessitating a larger appropriation.

The increase in the past two years has been greater than during the former biennial term, but it is reasonable and commensurate with state development. This much can and should be said. During the eight years of ex-State Printer Baker's incumbency there has been no bill or measure submitted and passed by the legislative assembly whose direct purpose was the creation of printing. All the increase is due to the creation of commissions and offices, which are compelled by law to make reports and be supplied with the necessary printing in the conduct of said commissions and offices.

The state printer has receipted to the secretary of state for all paper purchased for the public printing, and, as required by law, has kept a complete and systematic record showing for what purposes all the paper received by him was used. In conclusion, your committee herewith submits the report of the experts, which gives a full statement of what printing has been done and the compensation allowed for the same.

B. F. ALLEY,  
Chairman senate committee on printing.

C. J. CURTIS,  
Chairman house committee on printing.

*To Messrs. Alley, Bancroft, and Raley, on the part of the Senate, and Messrs. Curtis, Beach, and Guild, on the part of the House—*  
GENTLEMEN: Herewith we submit our report to you as experts to measure and examine the work performed by the state printer.

In accordance with your instructions we secured from the secretary of state all the bills submitted for printing during the past two years, and from the state printer all the work performed by him, and measured and allowed by the state expert during the same period. This work we found in good order, and each sample to correspond with the bills on file in the office of the secretary of state. All the different kinds of work were carefully

measured by the state expert in the manner prescribed by law, and the prices allowed were in strict accordance with the rates established by statute. The style and execution of the work is fully up to the best classes of work produced in the more progressive states. It is marked by knowledge, skill, and taste, and reflects creditably on the state printer and his workmen.

The cost of printing during the past two years, for the several departments, including deficiencies, is as follows: Executive department, including the offices of governor, secretary of state, treasurer, superintendent of public instruction, land department, agricultural boards, and all other departments of state, thirty-eight thousand seven hundred and five dollars and two cents; legislative department, nineteen thousand five hundred and twenty-seven dollars and sixty-three cents; judicial department, one hundred and seventy-two dollars and twenty-nine cents; uniform series of school blanks, seven thousand three hundred and fifty-eight dollars and thirty cents; Oregon national guard, three thousand six hundred and sixty-three dollars and forty-four cents; session laws, one thousand four hundred and eighty-nine dollars and twenty-eight cents; school laws, seven hundred and forty-two dollars and eighty-three cents; election laws, one hundred and ninety-one dollars and thirteen cents; insurance laws, twenty-one dollars and thirty-one cents; world's fair commission, six hundred and sixty-two dollars and thirty-two cents; senate journal, one thousand one hundred and seventy-four dollars and thirty-four cents; house journal, one thousand two hundred and eighty dollars and fifteen cents; fish and game laws, eighty-five dollars.

Respectfully submitted.

GEO. HIBBERT,  
W. F. OSBURN,  
Experts printing committee.

On motion of Senator Alley, the report was ordered to be spread upon the journal of the proceedings of the senate.

Senator Vanderburg moved that the rules be suspended, and that house bill No. 40 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Carter, Gesner, Gowan, Hobson, Holt, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—Senators Calbreath, Denny, and McGinn—3.

Absent—Senators Beckley, Brownell, Cogswell, Dawson, Huston, McAlister, and Smith of Sherman—7.

So the rules were suspended and house bill No. 40 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Carter, Dawson, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—21.

Nays—Senator Johnson—1.

Absent—Senators Beckley, Brownell, Cogswell, Denny, Gesner, Gowan, Hobson, and McGinn—8.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Brownell, senate bill No. 233, with the amendments adopted by the house, was taken from the table.

On motion of Senator Brownell, the senate concurred in the house amendments to senate bill No. 233.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 23, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills: senate bills Nos. 85, 186, 166, 74, 112, 13, 33, 24, 8, 2, 61, 244, 113, and 28.

W. S. DUNIWAY,  
Private secretary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 382,—an act to provide for the ordinary expense of the state government, and general and specific appropriations.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

Senator Cogswell moved that the rules be suspended and that house bill No. 382 be read first time by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Calbreath, Carter, Cogswell, Dawson, Gowan, Hobson, Huston, Johnson, King, McAlister, McClung, Patterson, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—20.

Nays—None.

Absent—Senators Beckley, Brownell, Butler, Denny, Gesner, Holt, Maxwell, McGinn, Price, and Smith of Sherman—10.

So the rules were suspended and house bill No. 382 was read first time by title and passed to second reading.

Senator Cogswell moved that the rules be further suspended and that house bill No. 382 be read second time now and by title only.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Calbreath, Carter, Cogswell, Dawson, Gesner, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—21.

Nays—None.

Absent—Senators Bancroft, Beckley, Brownell, Butler, Denny, McAlister, McGinn, Smith of Sherman, and Vanderburg—9.

So the rules were suspended and house bill No. 382 was read second time by title only and passed to third reading.

Senator Alley moved that when house bill No. 382 came up for consideration that the senate go into committee of the whole.

The motion prevailed.

The president announced that when the senate went into committee of the whole Senator Steiwer would take the chair.

The hour having arrived for the meeting of the senate and house of representatives in joint convention for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives at 12 o'clock meridian.

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#### JOINT CONVENTION.

The joint convention of February 23, 1895, was called to order at 12 o'clock m. by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senator Beckley.

The chief clerk of the house called the roll of the house, and all the members were present.

There being no objection, the reading of the journal of the proceedings of the joint convention of yesterday was dispensed with.

Senator Cogswell moved that the joint convention take eight ballots before adjourning, unless a choice for senator was made sooner, and that the joint convention do then take a recess until 7:30 o'clock p. m.

The motion was carried.

The president announced that as no person had received a majority of all the votes cast for United States senator for Oregon at the joint convention of yesterday, there had been no election, and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. H. Beckley were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—31.

Those voting for Hon. C. W. Fulton were: Mr. Mintie—1.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed



that the roll of the joint convention be called for the purpose of taking a another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Josephine, Smith of Polk, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. Wm. Galloway were: Messrs. Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—31.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Mr. Mintie—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. William Galloway were: Messrs. Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.



Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—31.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Mr. Mintie—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for the Hon. William Galloway were: Messrs. Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—30.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Messrs. Lyle and Mintie—2.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrums, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. William Galloway were: Messrs. Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—29.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord, were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Messrs. Curtis, Lyle, and Mintie—3.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Brancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrums, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. William Galloway were: Messrs. Butler, Cogswell, Huston, McAlister, Raley, Smith of Sherman, and Smith of Clatsop—7.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley,

Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—29.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Messrs. Curtis, Lyle, and Mintie—3.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—36.

Those voting for Hon. William Galloway were: Messrs. Butler, Cogswell, McAlister, and Smith of Clatsop—4.

Those voting for Hon. Geo. Chamberlain were: Messrs. Huston, Raley, and Smith of Sherman—3.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. G. O. Rinearson were: Mr. Beach—1.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—28.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. Lord were: Messrs. Patterson of Marion and Smith of Clackamas—2.

Those voting for Hon. C. W. Fulton were: Messrs. Curtis, Lyle, and Mintie—3.

Those voting for Hon. S. C. Beach were: Mr. Rinearson—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a

majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—36.

Those voting for Hon. C. A. Cogswell were: Mr. Butler.

Those voting for Hon. Geo. Chamberlain were: Messrs. Cogswell, Huston, McAlister, and Smith of Clatsop—4.

Those voting for Hon. William Galloway were: Mr. Smith of Sherman—1.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Davis, Dunn, Guild, Gates, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—29.

Those voting for Hon. S. A. Lowell were: Mr. Gowan—1.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Messrs. Patterson of Marion and Smith of Clackamas—2.

Those voting for Hon. C. W. Fulton were: Messrs. Curtis, Lyle, and Mintie—3.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and that the joint convention would take a recess until 7:30 o'clock this evening.

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#### IN THE SENATE.

The senate was called to order by the president.

Senator Patterson moved that the senate do now adjourn until 4 o'clock p. m.

Senator Cogswell moved to amend by making the time 2:30 o'clock p. m.

The motion to amend prevailed.

The motion to adjourn then carried, and the senate adjourned until 2:30 o'clock p. m.

WALTER SINCLAIR,  
Chief clerk.

### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

The senate was called to order at 2:30 o'clock p. m., pursuant to adjournment, by the president.

The roll was called, and all the senators were present, except Senator Beckley, who was absent on account of illness.

House bill No. 126 coming on for third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gesner, Gowan, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—Senators Holt and King—2.

Absent—Senators Beckley, Calbreath, Hobson, Smith of Sherman and Smith of Clatsop—5.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 7.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Patterson moved that the rules be suspended and that house bill No. 42 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Cogswell, Dawson, Denny, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Calbreath, Carter, Hobson, Huston, and Smith of Sherman—6.

So the rules were suspended and house bill No. 42 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Carter, Cogswell, Dawson, Denny, Gowan, Holt, Huston, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Calbreath, Gesner, Hobson, Johnson, McGinn, and Smith of Sherman—7.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

By unanimous consent, Senator McClung introduced senate resolution No. 31.

#### SENATE RESOLUTION NO. 31.

*Resolved*, That the following named clerks of the eighteenth session of the Oregon legislative assembly be allowed and paid per diem compensation as follows: Walter Sinclair, chief clerk, ten dollars; A. W. Severance, assistant clerk, seven dollars and fifty cents; J. M. Stott, calendar clerk, seven dollars and fifty cents.

On motion of Senator McClung, senate resolution No. 31 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895.

*Mr. President:*

I am directed by the speaker to inform you that he has appointed, on the part of the house, under house joint resolution No. 14, Messrs. Paxton, Wright, and Gates, and under house

joint resolution No. 15, Messrs. Paxton, Sehlbrede, and Smith of Josephine.

R. E. MOODY,  
Chief clerk.

Senator McClung, chairman of the committee on education, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 251, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

J. H. McCLUNG,  
Chairman.

On motion of Senator McClung, house bill No. 251 was ordered to third reading.

Senator McClung moved that the rules be suspended and that house bill No. 251 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Carter, Cogswell, Gesner, Gowan, Holt, Huston, Johnson, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—24.

Nays—None.

Absent—Senators Beckley, Dawson, Denny, Hobson, King, and Smith of Sherman—6.

So the rules were suspended and house bill No. 251 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Brownell, Butler, Calbreath, Cogswell, Gesner, Gowan, Holt, Johnson, King, Maxwell, McAlister, McClung, McGinn, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Vanderburg, Woodard, and Mr. President—23.

Nays—None.

Absent—Senators Beckley, Carter, Dawson, Denny, Hobson, Huston, and Smith of Sherman—7.

So the bill passed.



There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Maxwell introduced senate resolution No. 32.

SENATE RESOLUTION NO. 32.

*Resolved*, That whereas the committee clerks employed on the enrolling and engrossing committees have had to work early and late into the night by reason of their number being materially reduced from last session, therefore, that all, except the chief clerks on those committees, receive four dollars per diem for their work during the session.

Senator Maxwell moved the adoption of the resolution.

Senator Johnson moved that further consideration of senate resolution No. 32 be indefinitely postponed.

Senators Johnson and Carter demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Calbreath, Carter, Holt, Johnson, Patterson, Smith of Clatsop, and Steiwer—7.

Nays—Senators Alley, Bancroft, Brownell, Butler, Cogswell, Gesner, Gowan, King, Maxwell, McAlister, McGinn, Price, Raley, Woodard, and Mr. President—15.

Absent—Senators Beckley, Dawson, Denny, Hobson, Huston, McClung, Smith of Sherman, and Vanderburg—8.

So the senate refused to indefinitely postpone further consideration of senate resolution No. 32.

The vote now recurring upon the question of the adoption of senate resolution No. 32, the vote was in the affirmative.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895.

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 12, relating to granting ten days' additional time to the clerks of the insane asylum committee to finish their work.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.



## HOUSE JOINT RESOLUTION NO. 12.

*Resolved*, That the clerks to investigate the books, accounts, and management of the insane asylum be granted ten days' additional time in which to finish their work.

On motion of Senator Bancroft, house joint resolution No. 12 was adopted.

Senator Gowan introduced senate resolution No. 33.

## SENATE RESOLUTION NO. 33.

*Resolved*, That inasmuch as the committee on military affairs were compelled to hire expert clerks to discharge the duties imposed on the committee by reason of the investigation of the books and accounts of the military board, that such clerks be paid five dollars per day, the same as the other expert clerks.

On motion of Senator Gowan, senate resolution No. 33 was adopted.

House bill No. 382 coming on for consideration, the senate resolved itself into a committee of the whole.

• The president called Senator Steiwer to the chair, who presided as chairman of the committee of the whole.

On motion of Senator Patterson, the committee of the whole arose, and the president resumed the chair.

Senator Steiwer, chairman of the committee of the whole, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895.

*Mr. President:*

Your committee of the whole, to whom was referred house bill No. 382, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Amend the title by striking out all of the title after the words "and specific appropriations."

## AMENDMENT.

Strike out all of line forty, page 2 of printed bill.

AMENDMENT.

- In line sixty-five on page 3 of printed bill, the amount of the item shall read "eight thousand dollars" instead of "four thousand dollars," as in engrossed bill.

AMENDMENT.

Between lines sixty-three and sixty-five of printed bill, insert the following: "For salary and expenses of railroad commissioners and clerk, twenty thousand dollars."

AMENDMENT.

And "where applicants to purchase land to which the state has no title have been made and payments made thereon, upon the presentation of certificate of purchase, or proof of its loss, the secretary of state shall draw his warrant in favor of such purchaser, his legal representative or assign, upon the fund into which the purchase money was paid for the amount of such purchase money so paid."

AMENDMENT.

Strike out all of section 20.

AMENDMENT.

Strike out all of section 23½.

AMENDMENT.

Amend section "21" to read section "20," section "22" to read section "21," section "23" to read section "22," and section "24" to read section "23."

W. W. STEIWER,  
Chairman.

Senator Steiwer moved the adoption of the report.

On motion of Senator Huston, the amendments as reported on house bill No. 382, were to be considered severally.

Senator Steiwer moved the adoption of the first amendment.

Senators Huston and Johnson demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were —

Senators Alley, Bancroft, Butler, Cogswell, Dawson, Denny, Gowan, Maxwell, McAlister, McGinn, Patterson, Price, Raley, Steiwer, and Mr. President — 15.

Nays—Senators Carter, Holt, Huston, Johnson, King, McClung, Smith of Sherman, Smith of Clatsop, Vanderburg, and Woodard—10.

Absent—Senators Beckley, Brownell, Calbreath, Gesner, and Hobson—5.

So the amendment was adopted.

On motion of Senator Steiwer, the second and third amendments were adopted.

Senator Steiwer moved the adoption of the fourth amendment.

Senators Smith of Clatsop and Holt demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Denny, Gowan, Maxwell, McGinn, Patterson, Price, Raley, Steiwer, and Mr. President—14.

Nays—Senators Carter, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Clatsop, Smith of Sherman, Vanderburg, and Woodard—11.

Absent—Senators Beckley, Brownell, Dawson, Gesner, and Hobson—5.

So the amendment was adopted.

On motion of Senator Steiwer, the fifth and sixth amendments were adopted.

Senator Steiwer moved the adoption of the seventh amendment.

Senators Huston and Johnson demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Denny, Gowan, McGinn, Patterson, Price, Raley, Steiwer, and Mr. President—14.

Nays—Senators Carter, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Clatsop, Smith of Sherman, Vanderburg, and Woodard—11.

Absent—Senators Beckley, Brownell, Gesner, Hobson, and Maxwell—5.

So the amendment was adopted.

On motion of Senator Steiwer, the eighth amendment, was adopted.

Senator Patterson moved that the rules be suspended and that house bill No. 382 be read third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson,

Denny, Gowan, Hobson, Holt, Huston, Johnson, King, Maxwell, McAlister, McClung, Patterson, Price, Raley, Smith of Clatsop, Steiwer, Woodard, and Mr. President—23.

Nays—Senator Carter—1.

Absent—Senators Beckley, Brownell, Gesner, McGinn, Smith of Sherman, and Vanderburg—6.

So the rules were suspended and house bill No. 382 was read third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were—

Senators Alley, Bancroft, Butler, Calbreath, Cogswell, Dawson, Denny, Gesner, Gowan, Maxwell, McGinn, Patterson, Price, Raley, Steiwer, Woodard, and Mr. President—17.

Nays—Senators Carter, Holt, Huston, Johnson, King, McAlister, McClung, Smith of Clatsop, Smith of Sherman, and Vanderburg—10.

Absent—Senators Beckley, Brownell, and Hobson—3.

So the bill passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES. }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 241.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has requested the return of senate concurrent resolution No. 18, so that the house may reconsider the vote by which the same was concurred in by the house if they deem it advisable.

R. E. MOODY,  
Chief clerk.

On motion of Senator Cogswell, the senate refused to comply with the request of the house to return senate concurrent resolution No. 18.

The following communication was received from His Excellency, Governor Wm. P. Lord:—

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, EXECUTIVE DEPARTMENT, }  
SALEM, Oregon, }  
February 23, 1895. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills: senate bills Nos. 7 and 226.

W. S. DUNIWAY,  
Private secretary.

Senator Maxwell introduced senate resolution No. 34.

SENATE RESOLUTION NO. 34.

*Be it resolved by the Senate,* That the pay of the sergeant-at-arms shall be six dollars per day, the doorkeeper and assistant each five dollars per day, and pages three dollars per day each.

Senator Maxwell moved the adoption of the resolution.

Senators Johnson and King demanded the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were—

Senators Maxwell, McGinn, and Mr. President—3.

Nays—Senators Alley, Bancroft, Butler, Carter, Cogswell, Denny, Gowan, Hobson, Holt, Huston, Johnson, King, McAlister, McClung, Patterson, Price, Raley, Smith of Sherman, Steiwer, and Woodard—20.

Absent—Senators Beckley, Brownell, Calbreath, Dawson, Gesner, Smith of Clatsop, and Vandérburg—7.

So the senate refused to adopt the resolution.

Senator Patterson, chairman of the committee on ways and means, submitted the following report:—

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate resolutions Nos. 14 and 15, beg leave to report that we have had the same under consideration, and respectfully report

them back to the senate and recommend the adoption of the following:

That a committee of two senators be appointed to act in connection with the chief clerk and assistant chief clerk of the senate, to examine and correct any errors that may appear on the journal of the senate, and file all papers with the secretary of state.

The committee would further recommend that the pay of the chief clerk and assistant chief clerk be the same as that of chief clerk now, and the senators appointed on the committee be allowed no pay, and that they be allowed twenty days in which to complete their work.

I. L. PATTERSON,  
Chairman.

On motion of Senator Patterson, the report was adopted.  
Senator McAlister introduced senate resolution No. 35.

SENATE RESOLUTION NO. 35.

Whereas the report of the ways and means committee limited the number of clerks to be employed on the committee on municipal corporations to one; and, whereas, through necessity the said committee has in the employ two such clerks; therefore, be it

*Resolved*, That the said committee on municipal corporations be allowed one additional clerk at three dollars per day for the time said clerk has been actually employed.

On motion of Senator McAlister, senate resolution No. 35 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 161.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 195.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 84.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 383.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 237.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 68.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 79.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 7, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 321 and 243.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 317, 375, 325, 116, 380, 53, and 92, and senate bills Nos. 226 and 7.



And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 283, 321, 243, 317, 375, 325, 116, 380, 53, and 92, and senate bills Nos. 226 and 7, and soon thereafter declared that he had signed the same.

Senate Maxwell moved that when the senate adjourns, it adjourns until 7:30 o'clock p. m.

The motion prevailed.

Senator Denny, chairman of the committee on judiciary, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 331, beg leave to report that we have had the same under consideration, and respectfully report it back to the senate with the recommendation that it do pass.

O. N. DENNY,  
Chairman.

House bill No. 331 was ordered to third reading.

Senator Gowan, chairman of the special committee on the part of the senate, under senate concurrent resolution No. 14, submitted the following report:—

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee, appointed under senate concurrent resolution No. 14, to investigate the conduct, management, and affairs of the state military board and the Oregon national guard, have performed that duty and append herewith a full and complete report of the condition of the board and the national guard generally. An expert accountant has been employed and a thorough investigation made. The condition of the national guard is much better than ever before in the history of the state, there

being at present one hundred and fifty-five officers and one thousand four hundred and sixty-two enlisted men. The accounts of the board have been well kept and the appropriations economically expended. The report in detail is as follows:

We find the affairs of the Oregon national guard are administered by the military board, composed of five members, namely, Gen. H. B. Compson, president; Col. R. W. Mitchell, secretary. Col. M. E. Freeman, Col. F. V. Drake, and Col. A. L. Saylor, who, upon taking office, found the Oregon national guard in a very bad condition, but who, by their thorough administration, have brought them from a state of chaos to an efficiency that is seldom excelled, the guard being in debt to the amount of nearly seventeen thousand dollars which has since been canceled and paid, and in particular is this state of affairs due to Brigadier-General H. B. Compson, and his efficient brigade inspector and acting assistant adjutant-general, Capt. M. G. Butterfield, and Brevet Lieut.-Col. James Jackson, United States Army, who have personally and carefully inspected, annually, each and every organization of the Oregon national guard, traveling about three thousand five hundred miles to do so, and deserve great credit for the same.

We find a large amount of work has been done by the board in the organizing, arming, and uniforming the state troops, of which there are now three regiments of infantry, as follows: First regiment of nine companies; second regiment of eight companies; third regiment of six companies; separate battalion of two companies, which was detached from the second regiment May 17, 1893; two troops of cavalry, "B" and "A," and one battery ("A") of artillery,—twenty-eight companies in all, this being five companies less than the maximum allowed by our state law and approved by the governor. The amounts so allowed are audited by the secretary of state and are paid by the adjutant-general, acting paymaster-general, and vouchers for all accounts paid out of the military fund are now on file in the office of the secretary of state and receipts on file in the adjutant-general's office.

We find that when the present incumbent took office on October 10, 1891, there was one book of one hundred and thirty-eight letters in the office, which has since increased to over five thousand. Of orders there were but eighty, while at the present time there are of special orders two hundred and nine, and of general orders twenty-seven.

The national guard at the last biennial report for 1891 and 1892, had a maximum strength of one hundred and seven officers and one thousand three hundred and seventeen enlisted men, and who were very poorly uniformed and equipped, and have now a

maximum strength of one hundred and fifty-five officers and one thousand four hundred and sixty-two enlisted men, fully uniformed, armed, and equipped, as is shown by the appended returns of United States and state property.

There have been ten companies disbanded in the last two years because they had been reduced in numbers below the minimum, and for other causes disclosed by regular quarterly inspection. The number of blank forms used at that time was thirteen. There are now in use, and absolutely necessary, fifty-two forms, exclusive of commissions.

The system of bookkeeping now in use consists of keeping minutes of military board in a record-book, which shows the acts and allowances made by the military board, which is then segregated into an account-book or ledger, where each item is placed under a proper heading, so that at a glance any item can be found.

The number of record-books on hand at that time were one book of proceedings of military board. The books now in use are one record-book of proceedings of military board, one account-book, one record-book of commissions since organization, showing the name, rank, organization, date of rank, bondsmen, date of issue, term of service, and whether same has transpired or not, and total number of same, warrant-book, property-book of United States and state property, and one descriptive record-book. All letters formerly received were pasted in stubbook, now they are kept in alphabetical order in Amburg's letter file, convenient for reference. Letters sent are now copied by letterpress. This state of affairs is due to the efficiency of the adjutant-general, R. W. Mitchell, who has inaugurated many reforms and corrected many abuses. The Oregon national guard are uniformed in United States army fatigue uniform, of which thirty-three thousand four hundred and sixty dollars' worth was manufactured in Oregon and six thousand five hundred and forty dollars' worth was purchased outside of this state. The prices paid are lower than that of any other state and even than that paid by the United States, and are as follows, viz.: Overcoats, eleven dollars each; trousers, infantry, three dollars and twenty-five cents each; trousers, cavalry and artillery, three dollars and forty cents each; stripes, corporal's, forty-five cents each; stripes, sergeant's, seventy cents each; stripes, musician's, ninety cents to one dollar each; blouses, three dollars and ninety-nine cents each; caps, seventy-two cents each; cap ornaments, five and one half cents each; leggings, per pair, fifty-five cents each; hospital steward's stripes, per pair, one dollar and fifty cents; sewing on same, seventy cents each; artillery stripes, fifty to seventy cents each; Brassard's hospital corps stripes, forty-five cents each; blankets,

three dollars and fifty cents per pair; United States saddle blankets, three dollars and fifty cents each; saddles, eleven dollars and sixty-eight cents each; bridles, five dollars and ninety-two cents each; spurs and straps, one dollar; noncommissioned officers' swords, four dollars each; campaign hats, one dollar and twenty-two and one half cents each; revolvers, twelve dollars and ten cents each. We also find that all uniforms and equipments are carefully inspected by the inspector-general, Col. C. M. Freeman, and other experts before they are accepted and paid for.

The cost of maintenance per annum for the last two years has been (outside of new uniforms and equipments which will last with ordinary care at least six years,) a trifle less than thirteen dollars per man, and the Oregon national guard are now in condition to take the field at an hour's notice, while the cost in our sister states, Washington and California, average respectively forty-nine dollars and sixty-five dollars per man.

We also find in the cost of rents and allowances per company, that while in this state it is but twenty-five dollars per month, those of California are one hundred dollars per month; also in the salary and cost of running the adjutant-general's office we in this state come below that of other states, California having an adjutant-general at three thousand five hundred dollars, and an assistant adjutant-general at one thousand five hundred dollars, and three clerks at one thousand dollars each per annum, while the adjutant-general of Oregon receives but one thousand two hundred dollars per annum, and no clerks, and the cost per capita is less than that of other states in the union, excepting Nebraska, Arkansas, and Mississippi, which two latter states do not maintain a national guard organization. We have gone (with the assistance of our expert and other clerks), over all the books, records, and returns, and bills, and find the adjutant-general's biennial report compares with that of our accounting except in court-martial expenses. We found in the records of the military board, in the adjutant-general's account-book, under the head of court-martial expenses, several items amounting to one hundred and forty-seven dollars and seventy-seven cents which had been allowed by the military board and paid after the adjutant-general had made up his report. This was explained by the adjutant-general.

We also found errors in matter of appropriation which the adjutant-general reports as one hundred and four thousand dollars, namely, sixty-four thousand dollars for the years 1893 and 1894, (but according to the secretary of state's report is sixty-two thousand and fifty-two dollars and seventy-two cents,) and forty

thousand dollars special appropriation for equipment and uniforms.

We also found that the military board has made some allowances which your committee thought illegal and not in compliance with the law, but upon consulting counsel we found that they had not overstepped their legal limits; but still it is a question for the courts to settle.

Your committee, to ascertain a thorough understanding of the efficiency of the different organizations, ordered inspections of the first regiment and battery A, stationed at Portland, and of companies B, I, and H of the second regiment, stationed at Salem. As per appended reports, it will be seen that in the case of the first regiment, on a twelve hours' notice, turned out eighty-four per cent. of its total strength, or three hundred and thirty-four out of four hundred and seven, which is, in the opinion of your committee, an excellent showing. The regiment was commanded by Col. C. F. Beebe, who is a very efficient officer, and was duly inspected. They were drilled and went through many evolutions very creditable to them. This command is well officered, and is a credit to the state. We found this regiment fully uniformed, armed, and equipped. In the case of battery A, upon the same order, turned out seventy-two and three fourths per cent., or thirty-two out of forty-four. This battery is commanded by Capt. R. S. Greenleaf, a very competent officer, and the battery is well versed in the tactics and can be depended upon.

In the case of the battalion of the second regiment companies, B, H, and I, and band, they turned out, upon a twenty-four hours' notice, eighty-six per cent., or one hundred and twenty out of a total of one hundred and forty-six. This long notice was given, as a great many of the men live at considerable distance from the armory. Maj. D. C. Sherman, commanding, is a very good officer and handles his men well. This command was duly inspected and drilled in manual and evolutions, and considering that there were many recruits in the ranks, they made a very creditable showing. But your committee found one company (H) of this battalion who are below the minimum limit of forty men, they having (as per report appended) an enrolled strength of thirty-three; and you committee would respectfully recommend that they be granted until April 1st to recruit up to minimum number, and if they should not be able to do so by that time that they be consolidated with one of the other two companies or be disbanded.

It was noticed by your committee that five members of the regimental band were not properly uniformed, which should be attended to by the proper officers. Your committee is of the

opinion that this band is an unnecessary expense to the state and should be disbanded. The amount of money paid into the military fund has been small when the expense of uniforming and equipping this large body of men is considered, and entirely insufficient to carry out all the provisions of the military law, especially in the matter of encampment. Your committee believe that the fund has been carefully and economically expended.

We also find that the military board gave the purchasing power of uniforming and equipping the Oregon national guard in the hands of one officer, namely, the acting quartermaster-general, which is against all established rules and regulations, and is establishing a bad precedent. The purchasing should be done by a board of not less than two or more bonded officers.

We also respectfully report that we have investigated the merit in the matter of the court-martial of Col. S. L. Lovell, and are of the opinion that if the accused officer is guilty of any of the charges and specifications as found by the court, proceedings should at once be instituted against him. If not, he should be honorably discharged.

The various companies have at different times advanced money for their current expenses, which had been refunded to the limit of the law at the December special meeting of the military board, and the Oregon national guard is virtually out of debt, fully armed and equipped (or are purchased and supplies are *en route* to do so), and ready for any military duty required of them. We, your committee, respectfully recommend that the national guard be reduced to not less than twenty nor more than twenty-four companies, which should be done at such times as their terms of enlistment expire of the surplus companies.

In closing this report, we, your committee, cannot help but to state that the thanks of the people of this state are due to Gen. H. B. Compson and the officers and men of the Oregon national guard for the efficiency and promptness with which they have answered all calls for military duty, without seek of gain or recompense, and also to all officers, civic and military, upon whom your committee has had occasion to make calls while in the line of their duty in making this investigation. And we, your committee, would be neglectful of our duty if we failed to give honorable mention to that efficient, faithful, and untiring officer, Brevet Lieut-Col. James Jackson, U. S. A., United States inspector and instructor for this state, who has been untiring and indefatigable in his endeavors to bring the Oregon national guard to a basis second to none, and which your committee can safely say he has well done; after a term of three years, during which he has honored this state with his mature and experienced advice, the people of this state, as well as the officers and mem-



bers of the Oregon national guard, should tender him a vote of thanks, and also endeavor, by all means, to have him retained in the service of this state longer, and we, your committee, would respectfully and most urgently recommend that His Excellency, Governor Wm. P. Lord, be petitioned to respectfully petition the president of the United States to have him retained in his present post in this state, and this should be done at once, as there is a move on foot to have him sent to another station.

While pursuing our investigation we were compelled to make a call on Capt. H. E. Mitchell, brigade quartermaster for the United States and state property in his charge, and we had to incur an expense of six dollars and fifty cents for his mileage and per diem, for which proper vouchers have been handed to proper senate committee for auditing and allowance.

Appended are itemized financial report and returns of all property now in possession of the Oregon national guard, and consolidated returns of all officers and enlisted men, also itemized statement by organizations of all moneys appropriated and expended during the last biennial term ending December 31, 1894, and filed with the secretary of state.

Respectfully submitted.

A. W. GOWAN,  
ALONZO GESNER,  
Committee on the part of the senate.

C. H. BAKER,  
F. L. MINTIE,  
C. P. YATES,  
Committee on the part of the house.

Sworn and subscribed to this twenty-third day of February, 1895, that this report and appended return is a correct statement as found in the records of the Oregon national guard for the years 1893 and 1894.

CHARLES H. BLUMENROTHER,  
Chief expert clerk.

Subscribed and sworn to before me this twenty-third day of February, A. D. 1895.

[SEAL.]

C. M. LOCKWOOD,  
Notary public for Oregon.

On motion of Senator Gowan, the report was adopted and spread upon the journal, and two hundred and fifty copies of the report ordered printed for the use of the members of the senate.

Senator McClung introduced senate joint resolution No. 8.

SENATE JOINT RESOLUTION NO. 8.

*Resolved by the Senate, the House concurring,* That the secretary of state be and is hereby authorized and directed to cause to be published ten thousand (10,000) copies of the amended school laws, including the amendments made at the regular session of January and February, 1895, and to include also the constitution of Oregon, the rules and regulations of the state board of education, and a uniform system of institute and grade work, and a series of necessary blank forms for the use of teachers, district clerks, and directors of our public schools.

*Resolved, further,* That the Secretary of State shall cause this compilation of the school laws to be arranged, annotated, and compiled under the direction and supervision of the attorney-general and the superintendent of public instruction, who shall, when the school laws have been printed and completed, distribute sufficient supplies to the several county superintendents in the state, who shall cause the same to be immediately distributed to the several school officers and teachers in their respective counties.

*Resolved, further,* That each member of this legislative assembly be furnished with a copy of the new compilation of school laws when completed and published.

Senator McClung moved the adoption of senate joint resolution No. 8.

The motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 220.

And the same is herewith returned to you for enrollment.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 382.

R. E. MOODY,  
Chief clerk.



Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 233, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

Senator Calbreath, chairman of the committee on enrolled bills, submitted the following report:—

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 68, 84, 195, 237, 241, 79, 161, 213, and 220, beg leave to report the same back to the senate as correctly enrolled.

J. F. CALBREATH,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 40 and 228.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed

house bills Nos. 381, 27, 42, 126, 229, 251, 254, 342, 348, 383, and 384.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 382.

And the same is herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bills Nos. 45 and 122, and house joint memorial No. 7.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 14, 23, 197, 154, and 201.

And the same are herewith returned to you for your signature.

R. E. MOODY,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 45, 122, 40, 228, 381, 27, 42, 126, 229, 251, 254, 342, 348, 383, 384, 382, house joint memorial No. 7, and senate bills Nos. 14, 23, 197, 154, and 201, and soon thereafter declared that he had signed the same.

On motion of Senator Bancroft, at 6:30 o'clock p. m., the senate adjourned.

WALTER SINCLAIR,  
Chief clerk.

### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

The senate was called to order at 7:00 o'clock p. m., pursuant to adjournment, by the president.

The roll was called and all the senators were present, except Senator Beckley.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 213, with the following amendments hereto attached.

R. E. MOODY,  
Chief clerk.

### AMENDMENT.

Amend the title by striking out the words "appoint a game warden," and insert the words "provide for the appointment of a fish and game protector."

### AMENDMENT.

Wherever the words "game warden" appears in the act strike them out and insert the words "fish and game protector."

### AMENDMENT.

In section 34, line six of the senate engrossed bill, strike out the words and figures "fifteen hundred (\$1,500)," and insert the words and figures "two thousand (\$2,000).

On motion of Senator Denny, the senate concurred in the house amendments to senate bill No. 213.

SATURDAY, FEBRUARY 23, 1895.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house concurrent resolution No. 33 and house joint resolution No. 15.

And the same are herewith transmitted to you for your signature.

R. E. MOODY,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 23, 1895. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 19, regarding the publishing the report of the Oregon world's fair commission.

And the same is herewith transmitted to you for the consideration of the senate.

R. E. MOODY,  
Chief clerk.

HOUSE JOINT RESOLUTION NO. 19.

Whereas the secretary of state in his biennial report to this legislature calls attention to the fact that the first and second edition of a pamphlet entitled "The Resources of Oregon," are entirely exhausted, having been distributed abroad for the purpose of inducing immigration to this state; and, whereas, there is great demand for literature treating on the resources of this state from parties abroad who are contemplating seeking homes in the west; and, whereas, the report of the Oregon world's fair commission to this legislature contains much information that will prove of value to intending immigrants if revised and published by authority of the state for free distribution; therefore, be it

*Resolved by the House, the Senate concurring,* That the treasurer of state be and he is hereby directed to cause to be published twenty thousand copies of a revised edition of the report of the "Oregon world's fair commission" to this legislature, the said report when revised to contain information treating upon the resources, developed and undeveloped, of our fair state; the said

report, when revised, to contain also illustrations of the Oregon exhibits at the world's fair.

*Resolved, further,* That the treasurer of state be, and is hereby, authorized to secure the services of some capable and competent person to perform the work of revision, and he, the said treasurer of state, is further directed to cause the said revised report to be distributed free and to the best advantage, to the end that the greatest benefit may redound to our state in directing the attention of those people abroad who are desirous of seeking profitable investment and future homes.

On motion of Senator McGinn, the senate concurred in the adoption of house joint resolution No. 19.

The president announced that he was about to sign house concurrent resolution No. 33 and house joint resolution No. 15, and soon thereafter declared that he had signed the same.

Senator Patterson introduced senate resolution No. 36.

#### SENATE RESOLUTION NO. 36.

*Resolved,* That the judiciary committee be authorized to pay to G. G. Wickson & Co. seven dollars and fifty cents for the use of a typewriter during the session by said committee.

On motion of Senator Patterson, the resolution was adopted.

The hour of seven o'clock and thirty minutes having arrived, that being the hour on which the joint convention of the house of representatives and senate was to re-assemble for the purpose of voting for a United States senator for Oregon, the senate repaired to the hall of the house of representatives.

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#### JOINT CONVENTION.

The joint convention of February 23, 1895, reconvened at 7:30 o'clock p. m., and was called to order by the president of the senate, Hon. Joseph Simon.

The chief clerk of the senate called the roll of the senate, and all the senators were present, except Senator Beckley.

The chief clerk of the house called the roll of the house, and all the members were present.

There being no objection, the reading of the journal of the proceedings of the joint convention of 12 o'clock m. was dispensed with.

The president announced that as no person had received a majority of all the votes cast, there had been no election; and directed that the roll of the joint convention be called for the purpose of voting for a United States senator for Oregon.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Geo. H. Williams were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdaue, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—30.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. C. W. Fulton were: Messrs. Lyle and Mintie—2.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:—

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Brownell, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—38.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. J. H. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman,

Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. J. B. Waldo were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hobson, Hofer, Hope, Johnson, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Those voting for Hon. C. W. Fulton were: Messrs. Lyle and Mintie—2.

Those voting for Hon. Geo. H. Williams were: Mr. Speaker—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. S. A. Lowell were: Mr. Keyt—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

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Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

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Those voting for Hon. J. B. Waldo were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hobson, Hofer, Hope, Johnson, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Those voting for Hon. C. W. Fulton were: Messrs. Lyle and Mintie—2.

Those voting for Hon. M. C. George were: Mr. Beach—1.

Those voting for Hon. Geo. H. Williams were: Mr. Speaker—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. S. A. Lowell were: Mr. Keyt—1.

Total number of votes cast—89.

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Those voting for Hon. C. W. Fulton were: Messrs. Lyle and Mintie—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. Geo. H. Williams were: Mr. Speaker—1.

Those voting for Hon. S. A. Lowell were: Mr. Keyt—1.

Those voting for Hon. M. C. George were: Mr. Beach—1.

Those voting for Hon. J. B. Waldo were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hobson, Hofer, Hope, Johnson, Lester, McClung, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—29.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

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## SENATE.

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Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

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Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

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Total number of votes cast—89.

Absent—1.

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The roll was called and the vote was:

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Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. Geo. H. Williams were: Mr. Speaker—1.

Total number of votes cast—89.

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Hope, Johnson, Keyt, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—32.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

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Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

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Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft,

Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—36.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. C. W. Fulton were: Messrs. Alley, Baker, Barkley, Boothby, Brownell, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—31.

Those voting for Hon. J. B. Waldo were: Mr. Hobson—1.

Those voting for Hon. Wm. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. S. A. Lowell were: Mr. Keyt—1.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Total number of votes cast—88.

Absent—Messrs. Beekley and Beach—2.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Banerett, Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—37.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Hobson and Patterson of Marion—2.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker—1.

Those voting for Hon. C. W. Fulton were: Messrs. Alley, Baker, Barkley, Boothby, Brownell, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates — 32.

Those voting for Hon. J. K. Weatherford were: Mr. Raley — 1.  
Total number of votes cast — 89.

Absent — 1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daley, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President — 37.

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Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop — 6.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young — 10.

Those voting for Hon. J. B. Waldo were: Mr. Hobson — 1.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion — 1.

Those voting for Hon. J. K. Weatherford were: Mr. Raley — 1.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker — 1.

Total number of votes cast — 89.

Absent — 1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

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Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—37.

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Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

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Total number of votes cast—89.

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The roll was then called and the vote was:

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Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. Geo. W. McBride were: Mr. Brownell—1.

Those voting for Hon. S. A. Lowell were: Messrs. Davis and Keyt—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

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Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Vanderburg, Stewart, and Young—10.

Those voting for Hon. Thos. H. Tongue were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Conn, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—31.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell and Hobson—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. S. A. Lowell were: Mr. Keyt—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed



that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—37.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Thos. H. Tongue were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—32.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell and Hobson—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

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Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Blundell, Bridges, Calbreath, Calvert, Carter, Cardwell, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—36.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman,

Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Thos. H. Tongue were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—32.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell and Hobson—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Total number of votes cast—88.

Absent—Messrs. Beckley and Beach—2.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—36.

Those voting for Hon. Thos. H. Tongue were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Mintie, Patterson of Grant, Rinearson, Scott, Smith of Linn, Tigard, Wright, Yates, and Mr. Speaker—32.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell and Hobson—2.

Those voting for Hon. Wm. P. Lord were: Mr. Patterson of Marion—1.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Total number of votes cast—88.

Absent and not voting—2.

The president announced that as no person had received a

majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Gowdy, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, Woodard, and Mr. President—37.

Those voting for Hon. Wm. P. Lord were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Keyt, Lester, Lyle, McClung, Patterson of Grant, Patterson of Marion, Rinearson, Scott, Smith of Linn, Tigard, and Wright—30.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell, Hobson, and Mintie—3.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. Thos. H. Tongue were: Messrs. Yates and Mr. Speaker—2.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Total number of votes cast—89.

Absent—1.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Joseph N. Dolph were: Messrs. Bancroft, Beach, Blundell, Bridges, Calbreath, Calvert, Cardwell, Carter, Cleeton, Conn, Daly, David, Dawson, Denny, Gesner, Gowan, Long, Maxwell, McCracken, McGinn, McGreer, Moorhead, Myers, Paxton, Price, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Stanley, Steiwer, Templeton, Thompson, and Mr. President—36.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Those voting for Hon. Wm. P. Lord were: Messrs. Alley, Baker, Barkley, Boothby, Burke, Cole, Coon, Cooper, Craig, Curtis, Davis, Dunn, Gates, Guild, Gurdane, Hillegas, Hofer, Hope, Johnson, Lester, Lyle, McClung, Patterson of Grant, Patterson of Marion, Rinearson, Scott, Smith of Linn, Tigard, Wright, and Yates—30.

Those voting for Hon. Geo. W. McBride were: Messrs. Brownell, Hobson, and Mintie—3.

Those voting for Hon. Thos. H. Tongue were: Mr. Speaker—1.

Total number of votes cast—87.

Absent—Messrs. Beckley, Gowdy, and Keyt—3.

The president announced that as no person had received a majority of all the votes cast, there had been no election, and directed that the roll of the joint convention be called for the purpose of taking another ballot.

The roll was called and the vote was:

Those voting for Hon. Geo. W. McBride were: Messrs. Alley, Bancroft, Baker, Barkley, Beach, Blundell, Boothby, Bridges, Brownell, Burke, Calbreath, Calvert, Cardwell, Carter, Cleeton, Cole, Conn, Coon, Cooper, Craig, Curtis, Daly, David, Davis, Dawson, Denny, Dunn, Gates, Gesner, Gowan, Gowdy, Guild, Gurdane, Hillegas, Hobson, Hofer, Hope, Johnson, Keyt, Lester, Long, Lyle, Maxwell, McClung, McCracken, McGinn, McGreer, Moorhead, Myers, Patterson of Grant, Patterson of Marion, Paxton, Price, Rinearson, Scott, Sehlbrede, Shutrum, Smith of Clackamas, Smith of Polk, Smith of Josephine, Smith of Linn, Stanley, Steiwer, Templeton, Thompson, Tigard, Woodard, Wright, Yates, Mr. Speaker, and Mr. President—72.

Those voting for Hon. J. H. Raley were: Messrs. Butler, Cogswell, Huston, McAlister, Smith of Sherman, and Smith of Clatsop—6.

Those voting for Hon. J. K. Weatherford were: Mr. Raley—1.

Those voting for Hon. Wm. D. Hare were: Messrs. Buckman, Burleigh, Holt, Huffman, Jeffreys, King, Nealon, Stewart, Vanderburg, and Young—10.

Total number of votes cast—89.

Absent—1.

The president announced that the Hon. Geo. W. McBride had received a majority of all the votes cast, and declared that therefore the Hon. Geo. W. McBride had been duly elected United States senator for the state of Oregon for the term of six years from the fourth day of March, A. D. 1895.

Senator Huston moved that the thanks of the joint convention be voted to the president for his fairness and impartiality to all

parties and persons during the sessions of the joint convention.

The motion was adopted.

On motion of Senator Raley, the joint convention dissolved.

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IN THE SENATE.

The senate was called to order by the president.

The president announced that he was about to sign senate bills Nos. 68, 84, 195, 237, 241, 79, 161, 213, 220, 233, and house bills Nos. 142 and 361, and soon thereafter declared that he had signed the same.

Senator Gesner, chairman of the committee on mileage and per diem, submitted the following report:—

REPORT.

SENATE CHAMBER,  
 • SALEM, Oregon,  
 February 23, 1895. }

*Mr. President:*

Your committee on mileage and per diem would most respectfully submit the following supplemental report: S. B. Ormsby, clerk of the committee to investigate the soldiers' home, debtor to three hundred miles' travel—forty-five dollars.

ALONZO GESNER,  
 Chairman.

On motion of Senator Gesner, the account was approved and the report adopted.

The president appointed Senators Maxwell and Dawson as the committee under the report of the committee on ways and means upon senate resolutions Nos. 14 and 15.

The president appointed as the committee on the part of the senate under house joint resolution No. 15, Senators McGinn and Smith of Clatsop.

By unanimous consent, Senator Gowan introduced senate resolution No. 37.

SENATE RESOLUTION NO. 37.

*Be it resolved,* That the members of the senate of the eighteenth biennial session of the legislative assembly do hereby extend our sincere thanks to the president of this body, Hon. Joseph Simon, for the fair and impartial manner in which he has conducted the business of this body as its presiding officer.

On motion of Senator Gowan, senate resolution No. 37 was adopted.

The president thereupon thanked the members of the senate for their confidence and esteem, and wished them all of the prosperity and happiness that is possible to be the lot of man, and declared the senate of the eighteenth biennial session of the legislative assembly of the state of Oregon adjourned without day.

WALTER SINCLAIR,  
Chief clerk.

**CHIEF CLERK'S CERTIFICATE.**

SENATE CHAMBER,  
SALEM, Oregon,  
February 23, 1895. }

I, Walter Sinclair, chief clerk of the senate, hereby certify that the foregoing is a true and correct journal of the proceedings of the senate of the eighteenth biennial session of the legislative assembly of the state of Oregon, and of the proceedings of the joint convention of both houses from the fourteenth day of January, 1895, to the twenty-third day of February, 1895, both days included.

WALTER SINCLAIR,  
Chief clerk.

**CERTIFICATE OF APPROVAL.**

SENATE CHAMBER,  
SALEM, Oregon,  
March 15, 1895. }

We, the committee appointed under the report of the committee on ways and means upon senate resolutions Nos. 14 and 15, to examine, correct, and approve the journal of the senate of the eighteenth biennial session of the legislative assembly of the state of Oregon, beg leave to report that we have performed the duty assigned to us, and hereby approve the same.

J. W. MAXWELL,  
S. A. DAWSON,  
Committee.



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